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ABSTRACT

These papers seek to present a collective view of campus law enforcement in the seventies, incorporating new ideas and tested formulas for meeting the demands of a post-riot generation of students. Written primarily by practitioners concerned with current unrest and its implications for the future of higher education, the papers express a belief in the academic community's ability to solve its own problems. The solutions offered settle basically on 2 major premises. The first is the assumption that colleges and universities should recognize their unique postures as separate communities, functioning within the laws of the larger community. The second is the proposition that colleges meet threats of lawlessness and disorder through preventive techniques, beginning with the establishment of workable, progressive departments charged with public safety for the community. For related document see ED 047 344. (Author/HS)

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New Directions in Campus Law Enforcement: A Handbook for Administrators

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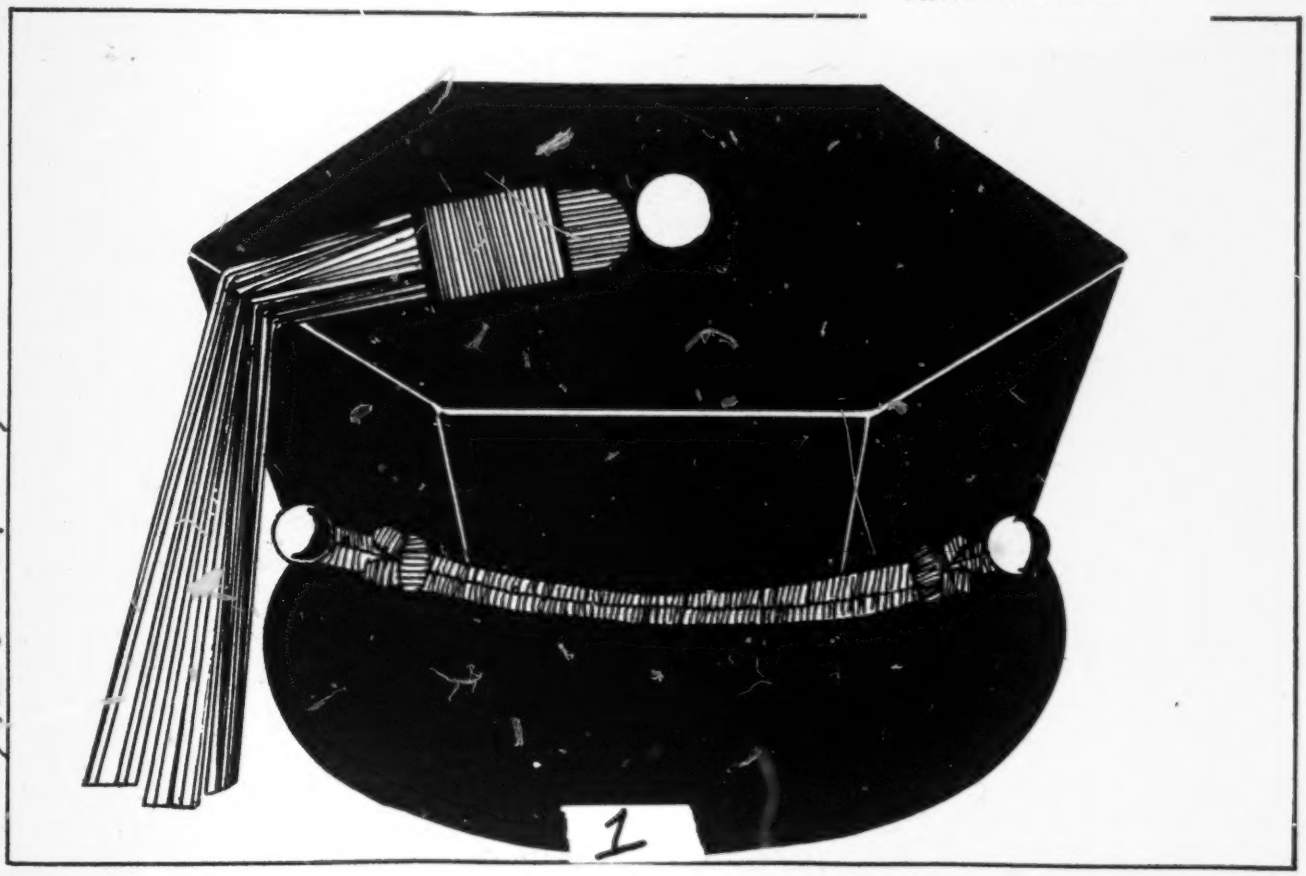

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NEW DIRECTIONS IN CAMPUS LAW ENFORCEMENT

NEW DIRECTIONS IN CAMPUS LAW ENFORCEMENT

A Handbook for Administrators

Edited by O. Suthern Sims, Jr.

The University of Georgia Center for Continuing Education / Athens

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INTRODUCTION

For years American higher education, the supposed plateau of idealism, has perpetrated a kind of subtle hypocrisy by isolating its ideals from the practicalities of the real world. The fruits of that isolationism have now begun to sprout, in an era of confrontation with students concerned not so much with abstraction as with progress.

Today's student has been transformed by television and a push-button environment into a walking dictionary of reality. He cannot be told that his four years of college will be a blissful extension of homelife when he is threatened with a jungle war and an economic disaster should he fail to make the grade. He cannot be content with surrogate parents and meaningless regulations when he is perhaps better educated than any other generation. Neither can he be simplistic when hunger, poverty, disease, and suffering are served to him with his evening meal via mass communication.

With all their antics, activism, and anxiety, today's students have provided, if nothing else, a plea for honesty in the vital process of education. To do this, they say, academia should join the whole of humanity rather than sit above it.

The assorted disorders rocking higher education for the past decade have forced colleges and universities into a new evaluation of law and its enforcement on the campus. Concern for alcoholic beverage rules and conduct matters has been replaced by a serious examination of the factors governing the whole functioning of the college as a community. It has been discovered that the campus is not, in fact, a haven but a problem-laden municipality. Yet, recognizing this fact, most administrators have failed in their efforts to make their communities as real as their bordering towns and cities. Steps taken during crises are too often reactive and require the systems and manpower of the "outside" world to clear up confusion in the inner collegiate community. In areas of law and public safety, colleges still maintain the anachronism of the ivory tower, even while campus disturbances monopolize the headlines of the press and the hallways of government. Without a continuing examination intent on workable solutions, higher education may be faced with a widening breach of confidence in its abilities to teach and perpetuate the fundamental elements of an ordered society.

The following papers seek to present a collective view of campus law enforcement in the seventies, incorporating new ideas and tested formulas for meeting the demands of a post-riot generation of students. Written primarily by practitioners concerned with current unrest and its implications for the future of higher education, the papers express a belief in the academic community's ability to solve its own problems. The solutions offered settle basically on two major premises. The first is the assumption that colleges and universities should recognize their unique postures as separate communities, functioning within the laws of the larger community. The second is the proposition that colleges meet threats of lawlessness and disorder through preventive techniques, beginning with the establishment of workable, progressive departments charged with public safety for the community.

The first paper in this collection gives a broad overview of the law enforcement problem, concluding with a model program for developing a more realistic policing agency on campus. The second and third articles are two case studies which relate successful ideas for the attainment of good town-gown law enforcement relations and a proper perspective from which to view the campus law enforcement role. These themes are then treated in the fourth article, a presentation of campus law enforcement and student discipline. The fifth and sixth papers deal with the concept of emergency planning on campus and judicial remedies that can possibly be implemented if

needed or desired. Serious problems have developed on many campuses in regard to the use of outside law enforcement agencies. The seventh paper discusses that issue, and the eighth describes the responsibility of the academic community for professional campus law enforcement. The final paper investigates the relationship between student affairs and law enforcement.

Seven practical problems with accompanying questions and issues are presented in the Appendices. The contributors to the handbook and Mr. William Bracewell, Administrative Assistant in the Office of the Dean of Student Affairs at the University of Georgia, are responsible for posing the practical problems.

Special thanks are due Miss Sandy Reeves and Miss Janis Webb for their assistance in the preparation of this manual.

O. Suthern Sims, Jr.

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ALTERNATIVE TO CHAOS: THE NEED FOR PROFESSIONALIZATION OF CAMPUS LAW ENFORCEMENT*

Edward T. Kassinger

At the University of Santa Barbara, in April, 1969, a custodian noticed a package lying outside a door to the University Faculty Club. When he picked it up, it exploded. He died later of burns suffered in the explosion.

A secretary at Pomona College, Clairmont, California, was seriously injured February, 1969, when a bomb, wrapped as a package, went off while she was removing it from a mail box in one of the college's halls. She lost two fingers on her right hand, was blinded in one eye, and required plastic surgery to correct extensive facial damage.

These two incidents are but personalized glimpses into the violence that has shaken American college campuses in recent months. They are contained, along with startling statistical data, in a report from the Federal Bureau of Investigation for February, 1970. It states that damages directly attributable to demonstration and unrest on campuses exceeded $1.5 million during the 1969–1970 school year (Sullivan, 1970).

Recitation of figures is perhaps less shocking than personal accounts, but a quick rundown of the FBI data can give a pretty sobering commentary on current unrest. During the year recounted, the following statistics were compiled: 231 demonstrations, including 42 sit-ins, 63 demonstrations against the ROTC, 20 demonstrations against military recruiting, 14 demonstrations against university research for the Department of Defense, and 96 demonstrations against school policies; three bombings and 22 arsons; more than 400 arrests; injuries to 52 law officers and 14 demonstrators.

What all of this means is relative to one's closeness to and understanding of the current campus scene. To college administrators, and certainly to those charged with law enforcement, the stockpiling evidence of disruption should mean a challenge to action. Fortunately, most parties in higher education have realized this and have set about gathering the insight and forethought necessary to meet future demands. One of the most meaningful of several current studies of campus unrest is "Campus Tensions: Analysis and Recommendations," compiled by a special committee of the American Council on Education under the chairmanship of Sol M. Linowitz (1970).

Born of a belief that the higher education community must begin to solve its own problems, this committee has done much to bring data, such as the FBI report cited, into perspective. Its findings also lay the groundwork for the proposal to which this paper is addressed.

The report observed in part that ". . . the first half of the 1969–1970 academic year was marked by apparent calm, and yet the arrival of spring

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* Originally presented as a paper at the Institute on Student Behavior and Campus Law Enforcement, sponsored by Higher Education Executive Associates, Ithaca, New York, July 26–28, 1970.

signaled disruption that may, in total, surpass that of the record year, 1968–1969 [Linowitz, 1970, p. 6]." During that year, an estimated 145, or 6.2 percent of the nation's colleges and universities, experienced incidents of violent protest. An additional 379, or 16.2 percent, experienced non-violent but disruptive protests.

The report points out, however, that at most times and on most campuses disruption was absent. "The news media, not surprisingly, focus upon incidents of disorder and ignore the campuses during times of tranquility. Where disruption has occurred, it has generally been short lived [Linowitz, 1970, p. 7]." Still to be considered, however, is the fact that a majority of American college campuses experienced at least one incident of protest, peaceful or otherwise, during 1968–1969.

Some generalizations that will help in this study can be drawn from the 524 disturbances recorded during 1968–1969:

1. One in three private universities had violent protests; one in eight public universities experienced incidents of comparable severity. About 70 percent of the private and 43 percent of the public universities experienced protests that were either violent or disruptive.

2. Few institutions with enrollments under 1,000 had any incidents of violent protest; among institutions of intermediate size (1,000–5,000 students) 4 percent of the two year colleges, 5 percent of the four year colleges, and 14 percent of the universities experienced violent protests. Of the large institutions (enrollment over 5,000), 16 percent of the junior colleges, 14 percent of the senior colleges, and 22 percent of the universities experienced violent protests.

3. About 85 percent of the most selective universities (those enrolling students of the highest academic ability) had disruptive incidents, of which 40 percent were violent and 45 percent non-violent. In universities in the lowest category of selectivity, protest incidents were weaker among four year colleges and absent among two year colleges.

The Challenge to Campus Law Enforcement

In the area of campus law enforcement, the committee reported:

> Institutions have, in general, responded firmly to violence. Fifty-five percent of the institutions that experienced violence during 1968–1969 had occasion to call in off-campus police. Roughly the same percentage of institutions report that some demonstrators were arrested. Some major civil or institutional action (arrest, indictment, dismissal, or suspension) was taken against individual students at three-fourths of the institutions where there were violent protests. (Similarly punitive measures were taken by 22 percent of the institutions that had non-violent disruptive protests.) Sixty-two percent of the institutions report that administration or faculty neogitated issues with demonstrators when the protest was violent, that 83 percent neogitated when the protest was non-violent. (p. 11)

Since campus law enforcement, like community law enforcement, is concerned with the protection of its constitutencies from both violence and injustice, most studies seek to guage student reaction to get a true appraisal of past efficiency. Students' complaints about police activity have usually been found to center on allegedly prevocative actions of local police or institutional security forces. Two types of action most deeply resented were what students considered to be excessive force in restoring order and harassment, which ranged from demanding identity cards from black, but not white, students to continuous investigations, including wire tapping and surveillance of some activist student leaders. There

were also student references to tense situations aggravated by demeaning or illegal treatment of those arrested or detained (Linowitz, 1970).

Other problem areas troubling students were considered in the council report. Two of these are of particular concern to campus law enforcement divisions. The first is "intimidation," wherein the rewards and penalities attached to virtually all college regulations are considered a basic system of threats. The committee found that fear characterized such institutions and that resentment followed. The second concern is the need for the administration to show greater interest in due process and fair play. Faculty and administration control over student academic and social life has a long history. "Students maintained that the procedures for instituting change and for settling student grievances do not even respect the rights guaranteed in civil courts [Linowitz, 1970, p. 21]." Students ask, "What gives faculty and administration the right to continue regulating social life of students?" The present situation of campus tensions thus may provide an impetus for some overdue reforms in higher education.

In any event, higher education must promote change in administrative procedures if tension is to subside (Linowitz, 1970). Responsible administrators, dealing especially with law enforcement agencies, need to plan more thoroughly for handling campus disturbances that would require the presence of civil authorities. Such plans should define the division of responsibility between campus and civil authorities. They must provide effective channels of communication between the two groups. Due restraint must be insured in the handling of those causing the disturbances.

If the administration has not provided sufficient law enforcement capability of its own, then it must be ready to accept the fact that the entry of large numbers of off-campus police during disturbances can heighten tensions rather than relieve them. Charges of police brutality add fuel to the flames of disruption, and off-campus force cannot be expected to empathize with dissidents. Inaction results in property damage, life hazards to members of the campus community, and extended interruption of educational functions. This cannot lead to respect for the administration (Linowitz, 1970).

The committee made certain general recommendations relative to governance which relate to the matter to be considered. One deals with the matter of improved communications, the second with the need to insure that institutional policies are seen by all major groups in the academic community as essentially fair.

The need to expand due process with deliberations on important issues is essential to improvement of administration in this area.

> As an aid to effective decision making, joint administrative-faculty-student committees should be established wherever possible, to assist in resolving the problem and attaining the objective. More institutions should experiment with permanent legislative assemblies composed of administrators, faculty, and students. Some issues are better dealt with by faculty assemblies, some by student groups, and some by the president and his administrative staff; but each group's decision making processes can benefit from inputs from the other groups. There are additionally, issues of concern to all three groups which should be dealt with by a governance system in which all are recognized as legitimate participants [Linowitz, 1970, p. 49].

There must be a greater commitment among all segments of our academic community if institutions are to survive. How often faculty decry the weaknesses in local, state, and federal governance. Yet, there appears a lack of faculty concern for the absence of a system of viable self-governance in the community in which faculty must bear the responsibilities of citizenship.

Faculty, students, and administrators must join in a shared commitment to internal governance, or others with less understanding and academic concern will do it for us (Linowitz, 1970).

Security Against What?

The findings of the Special Committee on Campus Tensions point to numerous avenues for initiative and innovation. There is a great emphasis on the need for improved self government and more flexibility and amenability to "open" administration policies and procedures. There are indications of efforts to eliminate the restrictive and press instead due process and fairness.

The "security department" concept in higher education that began with the old system of building night watchmen associated with plant operations originally started as a fire watch system. Over the years, it has developed into a pseudo-police function. It has often been a part and parcel of in loco parentis with a mixture of police functions and student discipline concerns. There have been many improvements in the function in the last ten years on the part of colleges and universities through attempts to achieve greater professionalization of the people assigned to "security" (Powell, 1970). However, not only as a matter of semantics but as a matter of philosophy of operations, the term "security" implies a restrictive connotation which is an anachronism and an anathema in the academic community.

The administrative concept that "security," as part of plant operations or some similar administrative function, provides the professional, academically oriented response required is found wanting. There has been little recognition that the day-to-day operations in this area involve student and staff liaison, coupled with performance of professional law enforcement capability as well as academically capable and academically oriented personnel. The handy man syndrome persists. Call the plumber for the leaky commode; call "security" because a protest has begun.

Factually, the confusion of administrators in this area is probably best demonstrated by the varieties of titles used by those responsible for law enforcement and related matters on campus. In a poll of 129 public and 55 private colleges and universities, the following titles (minor differences consolidated) were found (Whitehead and Van Meter, 1968):

TITLE	No.
Director of Buildings and Grounds	2
Dean of Men	2
Director of Safety, Security & Civil Defense	1
Director of Safety and Security	14
Director of Security	27
Director of Physical Plant	2
Director of Campus Security	1
Director of Security – Associate Dean	1
Director of Plant Operations and Security	1
Director of Public Safety	5
Director of Security and Chief of Police	1
Director of Safety	6
Director of Security, Safety, Investigations and Insurance	1
Director of Traffic and Security	4
Director of Housing and Campus Security	1
Director of Traffic, Safety and Security	4
Director of Police	1
Director of Campus Security and Police	1
Director of Protective Services	1
Director of Security Operations	3
Director of Protection and Security	1
Director of Security Services	1
Chief Security Officer	32
Chief of Police (or Chief of Campus Police)	19
Chief of Safety and Security	1
Chief of Plant Protection	1
Chief of Security and Traffic	3
Security Supervisor	3
Security Officer	6
Security and Traffic Supervisor	4
Superintendent of Buildings and Grounds	1
Superintendent of General Services	1
Superintendent of Security	1
Superintendent of Buildings and Security	1
Superintendent of Safety and Security	1

TITLE	No.
Superintendent Fire Prevention, Safety and Security	1
Superintendent Traffic and Security Patrol	1
Safety and Security Officer	2
Safety Supervisor	1
Coordinator of Security	1
Captain	4
Supervisor of Security and Safety	1
Supervisor of Security, Safety and Police	1
Supervisor of Police	1
Assistant Director of Personnel	1
Vice President – Financial Affairs	1
Assistant Director – Department of Police	1
College Proctor	1
Assistant to the President	1
University Security Officer	1
Communications and Control Officer	1
Marshal	1
Physical Plant Service Supervisor	1
Chairman of Traffic and Security	1
Head, Safety and Security Section	1
Assistant Vice President for Business Affairs	1
	180

Such a list of titles leaves little room for development of new ones.

A further analysis of these positions with regard to concern, responsibility, and authority shows that of 124 public and private institutions contacted:

18 had an enrollment of under 2,000 students
31 had 2,000 to 5,000 students
57 had 5,000 to 10,000 students
31 had 10,000 to 15,000 students
47 had over 15,000 students.

Criminal investigative responsibility was exercised by:

24 institutions through a Detective Branch
71 institutions through a Uniform Branch
63 institutions through a Detective and Uniform Branch.
(26 institutions had no criminal investigative responsibility.)

Police authority was based on:

State statute in 101 institutions
County authority in 16 institutions
City authority in 18 institutions.
(19 institutions had no police authority.)

Officers carried firearms in 127 of the institutions polled, whereas 58 did not permit officers to carry firearms.

Additional evidence of varying administrative concern is shown with regard to the chain of command. The college administrator to whom the persons listed in the above tabulation reported in connection with law enforcement responsibility on campus was tabulated as follows:

President	12
Vice President	53
Personnel Deans	19
Physical Plant	49
Business Manager	27
Other	25

In 91 institutions, the same law enforcing agency was responsible for civil defense; in 93 institutions, it was not. In 108 institutions, there was claim to formal law enforcement training programs; 74 did not have such a program.

In support of the security approach, many raise the cry that the word "police" has unpleasant connotations in academe (Ray, 1970). There are those who claim that the presence of law enforcement agencies on campus constitutes "an armed garrison" which is an anathema to the purposes of the academic community. Some say there is very little law as such to enforce on a college campus, yet there are statistical data which show that the academic communities are no different from those beyond their boundaries. These data also show that our student body members are those most victimized by criminal activities on campus.

For many years, academic administrators have chosen to sweep campus law enforcement

violations "under the rug" rather than face embarrassment to the institution. The failure of members of the student body to obtain any effective response to complaints of personal injury or loss of property has resulted in frustration to students and members of the academic community. Why not acknowledge the reality of criminal depredations on campus and reply with professional service suitable to the need of the citizens of the academic community?

Within the academic community, there are those persons who reluctantly admit "some violations of law occur on campus." But then there is the follow-up, hedging comment that, except for violent types of crime, it is more appropriate to handle such violations "internally"--within the educational framework--utilizing facilities and resources of the campus on a counseling basis rather than seeking legal recourse through civil court procedures. Frequently, these persons contend that an arrest of a student accomplishes little. Society's failure here should not be the basis for student exemption from citizenship responsibility.

Throughout such considerations, one also sees a lack of concern for the student victim or other victim in the academic community of a criminal act. This is but another manner of expressing the enclave idea: what is the violation of law "in the outside world" is not necessarily one when it occurs on campus. Such a double standard can encourage cynical student body reactions to the institution, as well as lead to poor town-gown relations. Higher educational institutions should eliminate the "security" of the enclave and join with the larger community in one standard. Improvement of the standard should be a goal, not special privilege.

In Loco Parentis: Dead or Half-Dead?

Some educators still pretend, despite the dictum in **Dixon v. Alabama State Board of Education** and subsequent court decisions which further emphasized the abolition of in loco parentis that the college has a special responsibility to provide a sheltering response to violators of the law. The belief persists that the institution should afford counseling services directed at campus rehabilitation and adjustment of student law violators, because educational institutions, even if denied the role of parents by the courts, are perhaps better suited to rehabilitate such persons.

This persistence to maintain a familial relationship with regard to law violators strains the respect of persons off campus as well as those who conveniently avail themselves of such considerations when necessary. Deep down, these claimants have no respect for double standards. Generally, institutions maintaining such policies are not found to provide these same exceptional services and considerations to culprits of the adjoining community.

Legal freedom from parental-like restraints while on campus has prevailed in the academic community since **Dixon V. Alabama,** 1961. The academic community has, as its raison d'etre, the search for truth. The abolition of this student-ward concept in favor of the student-citizen concept must be recognized as truth. The student-citizen concept must prevail as a result of legal dictum as well as the forcibly expressed youthful pleas for consideration. However, the application must be a consistent one. It should not be difficult to couple this consideration, then, with the recognition that a citizen--student or otherwise--can enjoy freedom only with the assumption of responsibility. There is no known legal prescription provided by our society whereby individual violators of law should be provided distinctive social and legal considerations as the result of the situs of the law violation on or off campus. For the campus community to pursue such a philosophy will not only bring the wrath of the community at large upon the academic community but also bring the disrespect of the student body for the double standard which it implies. Not only taxpayers, trusteees, and alumni, but also students rebel at this double standard, and the very integrity of the academic community

itself is challenged. Students may take advantage of such a weakness when convenient, but that does not imply respect.

Institutional policies must be seen by all segments of the campus community concerned as essentially fair. Due process must be provided so as to include broad participation. Joint administrative-faculty-student participation must be established. Let a "Constitution"--including a "Bill of Rights"--follow. Define the problems and objectives in non-academic areas. Institutions should be provided with permanent legislative assemblies composed of administrators, faculty, and students. The ordinances developed must be applied to all people who are on campus in non-academic areas.

> Some issues are better dealt with by faculty assemblies, some by student groups, and some by the president and his administrative staff; but each group's decision making processes can benefit from inputs from the other groups. There are additionally, issues of concern to all three groups which should be dealt with by a governance system in which all are recognized as legitimate participants [Linowitz, 1970, p. 49].

It appears essential for academic communities to respond to internal needs, as well as to answer the challenges postured by the larger society, to assume a more responsible role toward disorder and disruption by acknowledging a need for a system of internal law enforcement. No program providing for internal governance would be complete without considering the comprehensive concern of all the "people" involved in the academic community. Students, faculty, staff, researchers, employees, and visitors all have concerns. These concerns are both philosophical and operational, and any concept must be in accordance with both cultural objectives of the community and daily necessities of community life within the campus social structure.

One of the prime factors in the development of a programmed response to campus unrest is recognizing that in the tremendous growth in population and facilities which has occurred on the modern college and university campuses there has been a parallel development of all of the similar urban problems of small towns or cities. Academic communities of several thousand people cannot be considered enclaves in which "administrative" decisions can be made dealing with a whole area of public safety services for the community.

It may be helpful to recall that along with the in loco parentis doctrine which prevailed in the area of student discipline from 1913 to 1961 there was a parallel administrative attitude on most campuses with regard to the public safety services provided. Housing codes, fire codes, food handling practices, and other sanitation problems might have been discussed in classrooms but received little administrative policing on campus. Some individual conscientious administrator might have been concerned with such problems or with the problems of law enforcement on campus during that period, but for the most part these life safety areas received casual or periodic concern. The student was given a room and bath and a place; he had to eat. What else did a student want? In more affluent times, these items affecting life safety, health, and other areas of social concern can readily become the targets of protest relating to "living conditions" in the academic community and possible in the adjoining community in which student protestors have a sound social concern.

What Type of Governance?

In considering what type of internal governance suits the academic community best, this paper will deal only with concerns in non-academic areas. Any system of internal governance must apply to all segments of the academic community in an even-handed manner. Faculty and others cannot be exempted in non-academic areas. The term "students" is too frequently used in the sense of some lesser-type person in the academic community. Faculty and staff have a right, by reason of definition and responsibility, to presume

such characteristics with regard to academic achievement. However, in non-academic areas, this failure to recognize students as citizens has been a source of much of the difficulty which has led to campus unrest.

The student body is the largest body in the academic community. What are the general characteristics of that body causing concern on campuses? The circumstances of affluence have actually changed the period of adolescence. This era of affluence demands that the young devote more years to studying and training for life's work. There is an increasing period of years, therefore, during which healthier, better fed young people, of probably better physical and mental capacity, can ignore the age of about eighteen, the age at which their parents and grandparents were definitely committed to work performance or family responsibility.

The young today often proceed, insofar as campus policemen are concerned, to pursue the training and studying period through ages twenty-five and even thirty. The average age of the student body on many modern campuses is generally above the legal age of twenty-one. It is not unusual to find that the married student population is close to one-third of the student body.

A very recent move by Congress established eighteen as the voting age, qualifying the "young" to elect public officials, approve tax rates, and, indirectly, be responsible for funding and influencing decisions that affect the administration of institutions of higher learning operated by the state. The eighteen-year-old male student is also eligible for military service. Yet he can return to some college campuses and be required to abide by rules concerning the signing in and out of residence hall facilities (Seligman, 1969). If difficulties and unrest are to be avoided in the future, it is imperative that the student body, in non-academic matters, be treated as adult citizens of the campus community.

Codification of Ordinances for Campus Governance

If all citizens of the academic community are to be treated as adult citizens, then rules of conduct, as generally understood on campuses, seem inappropriate indeed. Rules of conduct are not in force for adult citizens in the adjoining community. They abide by city or town ordinances.

Pursuing the recommendations of the report of the Special Committee on Campus Tensions that systems of internal governance be established involving all segments of the academic community, it appears logical to obtain legislative or other authority for campus rules. This would include the following:

1. Defining an electorate within the academic community.

2. Providing for a balanced legislative group within the academic community to establish ordinances, punishable as are city ordinances of the state in which the community exists, plus the special proviso of permitting probation, suspension, or expulsion from the academic community.

3. Providing for the establishment of judicial disposition on campus for **all** the citizens of that community, through a university magistrate who would be a chief justice of the judicial system, assisted by traffic courts and student judiciary courts where deemed appropriate, with full regard for due process required.

The mechanics of implementation would, of course, vary with the circumstances on each campus. The intention would remain the same: a true assumption of citizenship responsibility by all segments of the academic community operating within the norm of an executive-legislative-judicial system in non-academic areas.

With regard to the nature of ordinances, a review of the topical matters covered in a pamphlet entitled **Michigan State University Ordinances** (1967) appears appropriate. Following a statement on the purpose and effectiveness of the ordinances and the authority upon which they are based, the subject matter of enforcement is considered. The ordinances include consideration of such matters as the following: the use of aircraft on campus; regulations concerning bicycles; boating; buildings; camping; counterfeiting, altering, and copying official documents, keys, etc.; disorderly assemblages or conduct; dumping; firearms regulations; setting of fires; loitering; liquor regulations; molesting; pets; picnicking; traffic and parking regulations; and other such topics in the non-academic areas, relating to the law enforcement, safety, and health of the community. Similar types of ordinance provisions need to be applied within the academic community, through the legislative and judicial processes of the academic community, with the right of appeal to the civil courts.

Public Safety Service Program

With the establishment of such a system of ordinances, and in consideration of the other factors developed in this paper relating to the nature of the academic community, it is proposed that consideration be given to the implementation of internal governance procedures through a public safety service concept. The public safety service concept is basically one in which those functions of the university which are directed at the elimination of campus environmental hazards and related to the protection and preservation of life and property in the academic community are incorporated in one professionally staffed, service-oriented organization. The professional services offered under the public safety service concept, in order to be acceptable to the academic community, must be comparable to the professional academic services offered in the other areas of campus life, such as the services provided by professionally trained student affairs personnel. However, these services would be separate and distinct from student affairs activities (Kassinger, 1969).

The public safety service concept involves administrative implementation through the establishment of functional responses in three particular service areas of concern to all segments of the community--protective services, safety services, and traffic safety and control services.

These three elementary support functions would be geared toward servicing the academic community where there is the greatest opportunity for establishing rapport with all segments of the academic community--students, faculty, staff, employees, and visitors--with a particularly keen eye on the student body. It is not the function of such an organization to concentrate on law enforcement.

Impetus for establishing rapport springs from mutual concern for life safety and the protection of personal, as well as public, property from environmental hazards. All administrators must admit some degree of selfish consideration with regard to lives and property. It is in this area that the public safety service concept makes its main thrust. Professionalism and service in this area are thus the bases for establishing the communication which is essential.

The public safety role is directed at supporting, preserving, and fostering the achievement of a university or college community in which the individual student, faculty member, researcher, staff member, employee, and visitor can sense a pride and determination to maintain a suitable, viable climate for teaching, studying, research, and community service.

Communication with all segments of the academic community depends upon the recognition that the ultimate objective of a public safety service concept is the elimination of campus

environmental hazards so that the academic concerns for studying, teaching, research, and community services can be satisfied. It does not consider "security" as a legitimate objective in the academic area.

Program Parameters

Protective Services--protecting life, limb, and property in the academic community--should be provided on a twenty-four-hour basis by professionally trained law enforcement personnel. These public safety officers should have nothing to do with student discipline per se. Law enforcement authority in the case of public institutions should come directly from the state, so that there is no question of legal capability or responsibility. Private colleges and universities can best be served by unquestioned legal deputization by state or local authorities with regard to enforcement of laws (not student conduct regulations) on campus.

Communication and rapport can be established through professional capability and legal competency in the daily discharge of law enforcement responsibilities, particularly to the student body, which suffers the most from criminal depredations on campus. A student having a theft loss of date money, beer money, or a tape from his car can be an irate one if there is no one to listen to his complaints and make an effective investigative response.

The time of crisis is no time to appeal for cooperation. Cooperation of students, faculty, and other segments of the academic community can be achieved only by everyday performance in response to needs. These personal, day-to-day responses by a competent law enforcement cadre on campus can serve as a basis for confidence, communication, and understanding. A well trained, professionally qualified law enforcement officer knows that 90 percent of his time is devoted to serving his community.

There must be complete professionalization if the services offered to the academic community are to gain complete acceptance--not just toleration as under the security concept. All personnel, by reason of personality and academic background and involvement, should mesh both professionally and socially with the academic community. For example, all public safety officers, in addition to achieving professional orientation through established police academy training in law enforcement would be required to involve themselves in degree-seeking programs at the graduate or undergraduate level. No officer who either did not have a degree or was not actively seeking one would be employed.

In addition, continuous in-service programs for campus police officers should involve training in the law enforcement areas of arrests, searches, seizures, investigative techniques, patrol techniques, first aid capabilities, and community relations matters (Kassinger, 1969).

One of the key factors in the success of such a program is the involvement of students as officers. Here we introduce youth, intelligence, understanding. It cannot be done, however, without a firm, continuing requirement of in-service training, covering professional law enforcement, community relations, first aid, and safety matters. And this must be done during working hours. It is a difficult program to implement well, but it can be done. Such implementation may require the services of a full-time training officer. Additional rapport with other segments of the academic community is achieved when such a training officer or administrative person in the public safety function makes regular contact with the faculty adviser of the student to insure that academic commitments of the public safety officer and his work commitments are in harmony.

The head of the public safety program also must personally develop close rapport with students. Likewise, professional rapport must exist between

student affairs and public safety functions. This latter rapport must keep distinctive the basic responsibilities of student affairs (student services and programs) and public safety (environmental safety, including law enforcement). Designated student government representatives should have free access to the administrator and day-to-day operations procedures.

Because of the need for unified policy affecting all segments of the academic community in sensitive areas, the head of the public safety function should report directly to the college president or executive vice president. There should be no administrative hindrance in bringing to the attention of the person most apt to suffer "if things go wrong" areas of weakness threatening the normal functions of the campus. The sources of campus unrest are varied, and no administrator's game of musical chairs should block the chief administrator from intelligent information upon which to act.

Another step can be taken in order to blend law enforcement functions with the academic. Professional testing services available on most campuses should be used to determine whether applicants for the position of public safety officer have aptitude and promise in campus law enforcement work. Testing should be directed toward insuring elimination of opportunistic or emotionally inadequate applicants. Ideally, applicants sought as public safety officers would be interested in employment because of the service orientation of the law enforcement program. The ideal of wanting to do something worthwhile should be present. Besides being in good physical condition, applicants should also be at least twenty-one years of age. An applicant preferably should be married and have fulfilled his military commitments. These latter requirements are for the purpose of insuring attitudes of responsibility and rapport and adding to capability.

One means of selling the community service concept could be that of placing these officers in station wagons, fully equipped with stretchers and related first aid equipment, instead of in prowl cars. A particular objective is to insure that the sworn public safety officers are so professionally competent and service-oriented that the impression which they leave on students during their four or five years on campus will be carried with them following graduation. These students can be impressed with what a model law enforcement agency can do in a community and demand no less in the communities in which they take up residence as taxpayers and voters following graduation from the university or college. By encouraging the development of a model law enforcement agency on campus, the institution can teach by example in this essential support area. Hopefully, a better respect for law will follow.

Public Safety Services

Since the public safety service concept is not solely concerned with law enforcement but rather with overall consideration of environmental conditions on campus, the second functional responsibility within the public safety service concept of providing "safety services" is important in encouraging a suitable campus climate in which the academic purposes can be pursued. The provision for a safety services function relates to the objective of eliminating campus unrest and concerns the protection to life, limb, and property from environmental hazards in the academic community. Examples of community interest on the part of all segments and the good relations which could be developed through this function are illustrated by the type of programs handled through such a Safety Services Program:

1. Fire Safety Control Programs
2. Accident Prevention Control Programs
3. Laboratory Safety Control Programs
4. Radiation Safety Control Programs
5. Sanitation Safety Control Programs

6. Food Handling Inspection Programs

7. Housing Sanitation and Safety Inspection Programs

8. Swimming Pool Sanitation and Safety Inspection Programs

9. Lighting Survey Programs

10. Pest and Rodent Control Programs

11. Civil Defense and Disaster Programs

12. Campus Pollution Study Programs

13. Campus First Aid Service and Training Programs

14. Narcotics and Drug Control Programs (apart from law enforcement functions of Protective Services)

15. Dairy and Pasteurization Plant Inspection Programs

16. Safety training classes in cooperation with Home Economics and other academic disciplines where faculty and student interest in areas of environmental hazards exists

17. Programs relating to disposal of hazardous chemicals and materials and laboratory animal waste.

Again, the accent is on everyday service to all segments of the academic community affected by delinquencies in these life safety areas.

Traffic Safety

The third functional area in the public safety service concept deals with the matter of traffic safety and control services. This is a matter of concern in most campus communities, and it is logical for it to be related to the other public safety service functions. It is obviously of environmental concern.

Conclusion

By careful study and blending of these three basic functions directed at eliminating campus environmental hazards and the establishing of a suitable climate in which the academic purposes of the community can be accomplished, the public safety service concept is projected for consideration in meeting the problems of campus unrest. Hopefully, the program proposed can lead to better communication and understanding through:

1. The rapport resulting from its comprehensive regard for life safety and property safety in which all segments of the academic community have a concern.

2. Consideration of its requirement for professional staffing and service orientation, meeting the philosophical concerns of the academic community.

3. The community response developed through a realization that the functional objective is not just law enforcement but also a wholesome concern for all environmental conditions that tend to negate the purposes of the community.

The sensitive among the academic community would not be able to center on an organization solely oriented towards "security" or "police" and their sometimes restrictive connotations, whether these connotations are deserved or not. The term "public safety officer" is one recognized in law enforcement circles and is thus more acceptable to the academic environment. It is also more descriptive of the basic duties performed and

responsibilities met on behalf of the academic community.

If an incidental teaching function of the university or college is to demonstrate respect for law by example, not only on campus but in the years subsequent to graduation, through exemplary police department functions, it is questionable that this can be achieved by disguising the identity of such a function with the restrictive reference of "security."

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CAMPUS LAW ENFORCEMENT: TOWN–GOWN RELATIONS*

Richard O. Bernitt

Until recently, town-gown relations in the field of law enforcement have existed at an ebb. In fact, there has not even been a "kissing cousin" consideration until crisis situations on the campuses have forced the universities to examine their isolationism.

There are three primary reasons for the "hands off" attitude of campus and community law agencies. They apply in the main to large institutions, both public and private, but in some degree have also affected smaller schools. Foremost is the development of a double standard of justice for university-associated persons by educational institutions. This is so flagrant an offense that there are well documented instances of the concealment of serious crimes on a number of campuses.

This deliberately-adopted stance is incomprehensible, if for no other reason than that educational institutions should be leaders in upholding the standards of society that provide the support for their existence. One does not have to be arrest-and-prosecution oriented in the popular "law and order" mold to realize that an organized effort to evade the law is lawlessness at its worst level. Another and equally insidious problem for the taxpayer and his elected leaders to confront is the physical growth of the university. This growth, primarily since World War II, has included the acquisition of properties that represent income to the governmental unit in which the university exists. Once acquired, however, such property becomes exempt from taxes and the government unit has a lesser income. This situation in itself is serious; but the real clincher comes when the institution compounds the problem by demanding governmental services for the land and buildings acquired. It is like kicking a man when he is down because all too often the demand/request for service is not accompanied by a willingness to pay appropriately for the services needed.

If it is valid that the university is a community, then the placement of the university police operation in the vast majority of university structures is patently wrong. This constitutes the third deterrent to good town-gown relations. How any university administration can assign its security or law enforcement chief to be subordinate to the dean of students or to the buildings and grounds operation can only be described as incredible. Any examination of the variety of types of municipal government will show that the police chief reports to the mayor, city manager, or some similarly placed person. Law enforcement is a sensitive task. There is no reason for a responsible function to be buried in a division of the university where communication between it and top management is diluted by varying layers of vice presidents, deans, non-associated department heads, and administrative assistants.

Overall, this combination adds up to a failure by university administrations to view their university position in its proper context. Universities are communities, sometimes within or bordering upon

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political entities. As such, they must be governed and served as any city of comparable size. In an attempt to bring these ideas into sharp focus, the author will utilize his own university as an example of change evolved through city-campus cooperation.

Prior to World War II, the institution had approximately 5,000 of its future 30,000 plus enrollment and no more than five to six hundred employees of all types. Practically everyone lived off-campus, and the in loco parentis doctrine existed virtually unchallenged. Law enforcement and/or campus security was provided through the administration of the local police department, one full-time college employee, and a number of student officers. The set-up was usually fraught with employee escapades, an almost total absence of supervision, training, and sense of professional responsibility, and, generally, a complete lack of knowledge by the college community of the policing contingent's presence, except on payday. Looking backward, one wonders what campus law enforcement's role was intended to be, other than to provide a human presence to deter dastardly crime that never occurred.

During the post World War II period universities had to review their positions in the area of law enforcement. Increased enrollments and employment of a larger academic and non-academic staff caused the university population to mushroom, often past the city's population. It became obvious that the then existing informal policing responsibility had to be overhauled. The first step was for the university to separate from the city's supervision of the campus police operation. This was done with some degree of mutual accord, and the university appointed a chief of police to administer a full-time group of policemen. At the same time, a very wise decision was made in that the chief, who also performed as a staff member of the School of Police Administration, was made directly subordinate to the president of the university.

The in loco parentis concept continued to prevail, and during the next ten or twelve years Michigan State could be properly accused of promulgating a double standard of justice system. This fact was not a well kept secret, and the situation was a deterrent to reasonable town-gown relations in the administration of justice.

Campus officers who more often than not were the equals of those representing the area agencies were subjected to abuse and ridicule from all fronts. Many well qualified employees left, perhaps for no other reason than to escape this torment. Furthermore, their sensitivities as citizens of a broader society were shocked by the discovery that it was more serious to possess or drink a bottle of beer on campus than to steal or engage in sexual perversion in public.

At that time routine university action for an alcoholic beverage violation was automatic, immediate, and non-defensible suspension. Thieves and perverts, however, were swept under the rug to be rehabilitated by some still unidentified educational process that was presumed to be the panacea to all problems except alcohol and murder. The era of 1960 was entered in this manner, with a new county prosecuting attorney and a new county sheriff in office. Officers at Michigan State acquire their peace officer status by being deputized by the sheriff. As such, town-gown relations have to be kept at a satisfactory level with the sheriff if the officers are to be anything other than another form of an industrial security force. It appeared in 1960, as it still does today, to be to the university's benefit to have its own police personnel rather than be served by one or more outside agencies.

The status-quo of the existing university system was ended in an abrupt manner early in 1961 at almost the precise time that the first full-time director of the campus operation was appointed. He was informed that he would be charged with violation of criminal law if he knowingly concealed any crime within his jurisdiction. In addition, he was also advised by the prosecutor through the sheriff that deputization ability was in jeopardy if the department failed to perform its sworn duties as required by state statute.

This strong statement provided the impetus for implementing a more responsible position by the university. Before this time there was overriding university concern to avoid any form of "embarrassing" publicity. This is natural for private citizens, all forms of private business enterprise, public and private institutions, and all levels of government. No one wants poor publicity, and it had been felt that any public reference to student or employee criminality on campus was possibly the worst that could be endured. After all, an image, even though untrue, had been created that this ivy covered island was problem free except for the need to obtain public funds each year from the legislature. The aforementioned edict created a new dimension for consideration; however, subsequent events have demonstrated that earlier fears of the unknown had little substance.

It was at about this time that university students began to question the divine position of the university with regard to their out-of-classroom behavior. The loud noises that were raised in the middle of the 1960s were just a whisper then, but the combination of student desire to be afforded the full citizenship of society at large and the demand for an end to two standards of justice came at a fortuitous time for Michigan State University.

Actually, the transition from one concept to another was executed without undue outcry from any source. The department continued to perform its work in essentially the same manner as it had in previous years. The only major change was that when a complainant was desirous of exercising his rights as a citizen to initiate prosecutive action against a probable suspect it was made known to the prosecutor. The prosecutor, after reviewing the facts, then would exercise his legal responsibility by either issuing a complaint, declining prosecution, making a referral to the university for appropriate action, or taking some other step he deemed proper for the case at hand. These are the same actions that the prosecutor takes in all criminal matters; therefore, Michigan State University incidents are now considered in the same manner as any incident occurring elsewhere in the county. The existing procedure appears to be acceptable to almost all concerned. Those persons charged are treated in accord with legally established procedures for all citizens. Those who are aggrieved have the capability of seeking redress through the courts. In addition, those outside the university community espousing law and order or permissiveness have as their target society's established system of the university.

One hindering aspect of several campus policing operations is the unreal position where this function is sometimes found in the administrative structure of the institution. The worst example of this is the following hierarchical situation:

President

Vice-President for Business

Administrative Assistant to the Vice-President for Business

Superintendent of Buildings and Grounds

Chief of Security

Unfortunately, this strange alignment--or something akin to it--is witnessed quite frequently. The chain of command is too long; communication is diluted; and there is little likelihood for any common thread in administering a police operation along with maintenance personnel.

There are only two administrative positions in the Michigan State administrative structure where the law-enforcing operation could function. The first is where it is situated now, in the office of the president. The other possibility is in the office of the executive vice president. Both of these administrative positions have university-wide responsibility that is concerned with all people that make up the community. All the other officers are concerned with a specific segment of the total population. If the public safety department were located in one of their fields of operation, the efforts of the department could be

side-tracked to serve one group rather than all citizens within the university's jurisdiction.

Certainly, there has not always been the financial support requested at Michigan State University. However, there has been the ability to communicate directly with the chief officer of the institution so that any failure to obtain what was believed to be necessary has to be viewed as a failure in salesmanship.

Also important to the department's success is the ability of the director to establish personnel policies without administrative interference. The director sets standards for employment and promotion, a capability that has been important because, as any jockey will say, "It's necessary to have the horses if you're going to be a winner." Municipal ordinances or state civil service regulations that provide little or no flexibility in personnel selection, assignment, or promotion can be crippling handicaps. Administrators having these millstones are not administering; they are merely puppets to a system that can beget only mediocrity.

Some of the areas where Michigan State University has been able to develop close relationships with adjacent agencies include athletic event traffic handling, mass disturbances on and off campus, police training, and cooperative involvement in federal programs. While these may not be unique, they do provide examples of what can be done.

Traffic Control

It may appear nonsensical, but the author believes that Michigan State University's growth in the collegiate athletic world may have been a significant catalyst for establishing better town-gown relations in its area. Basically, this is because when the stadium's seating capacity was increased from 18,000 to 76,000, the additional traffic handling responsibility imposed upon the public safety department and all of the area agencies made the police agencies get together to develop one workable traffic handling program.

These planning sessions opened lines of communication that had not existed earlier. As representatives of the generator of the problem, school officials assumed both a host and leadership role, thereby demonstrating to the entire assemblage some level of competence that had not been recognized by the more established departments. Furthermore, since traffic is but one element of local law enforcement responsibility, communication lines began to develop in the other aspects of common work.

Mass Disturbances On and Off Campus

Law enforcement manpower is generally structured to meet only the normal day-to-day demands for service. Police departments are incapable of appropriately dealing with mass disturbances whether those involved are students or non-students and whether the scene is on a campus or in a city apart from any campus. History in this country for the last 100 or more years is filled with examples of crisis situations where the regular law enforcement organization having primary responsibility had to call for assistance from a wide variety of sources up to and including regular soldiers of the United States Army. Social unrest during the 1960s has caused law enforcement agencies of all types to develop detailed plans in conjunction with all potential supportive groups so that an appropriate response can be provided in the event of a problem.

University police in their sphere of responsibility have not been able to escape this task. At Michigan State University, plans have been devised, cross-communication capabilities have been acquired, command post personnel have been assigned, and a myriad of other details have been reviewed and put into what is believed to be a proper perspective. Furthermore, there have been a variety of non-emergency exercises and several actual emergency implementations of the plans. Confusion as to command, area of responsibility, and authority to perform in a legal manner has thus been minimized. This is not to indicate that

all operations have been free of defect. There have been mistakes, and they will probably continue. However, the prime area of potential problems has been recognized, and general plans have been developed to overcome them.

The dilemma of mass disturbances, despite the severity of the problem, has been a great impetus for acquiring better town-gown relations. The police have learned, even in the largest of cities, that they must at a certain point obtain assistance not only from other nearby police agencies but also from citizen sources that once were ignored for one reason or another.

Police Training

Michigan adopted a program in 1965 to reimburse police agencies for one-half of their costs in providing a minimum level of basic police training to recruit officers. This legislation suggested the regional training concept because instructors had to meet certain qualifications if their performance was to be certified as acceptable to the state authority. Since there was a shortage of instructors, the best approach to solving this problem was for agencies in a region to pool their resources in one regional school to which all assigned trainees would be sent.

This factor has had a highly significant bearing upon improved town-gown police relations because university officers, for a variety of reasons, dominated the list of instructors having certification capability. This meant that recruit personnel being trained in the Mid-Michigan Police Academy that serves three counties have been exposed very early in their public careers to the academic law officers on an instructor-trainee basis. Such a relationship can be very important in the shaping of attitudes and the dispelling of old wives' tales. Another factor that has helped in this combined program of area training is that Michigan State University recruits being trained have in all but one class (seven out of eight) attained the top position of the class, thereby demonstrating the validity of the department's recruitment standards.

Federal Programs

In 1968 the Tri-County Planning Commission was selected as one of ten such bodies in the United States to conduct a study for the purpose of improving the administration of justice process in the region. This study, funded by the Department of Housing and Urban Development, was to involve all elements of the process, elements such as the police, the prosecutor's office, the courts and corrections.

At the project's beginning all police leaders (Michigan State Police district commander, three county sheriffs, six municipal chiefs, and one university director of public safety) were called together for an explanation. Similar meetings were also held with representatives of the other groups. After hearing about the study and its potential it was apparent that there was considerable interest, and it is notable that there was full police participation throughout the entire study.

The results of this effort are astounding. Typical of the depth of professionalism is Recommendation I, as published in this HUD report. "The (police) task force recommends that the ultimate goal . . . be a metropolitan police agency involving all police agencies in the Tri-County area." This dramatic announcement by politically oriented sheriffs and a broad spectrum of police chiefs meant that collectively and individually they were telling various communities to remove the officers from their respective jobs.

Obviously this was not done for self sacrifice. Rather, it was done because all parties sincerely believed that fragmented law enforcement in a metropolitan area, accompanied by overlapping levels of jurisdiction, is neither economical nor efficient. Although it is doubtful that the citizens

of the Tri-County area are willing to take this step in the near future, it is interesting to note that elements of the proposal are in effect and are producing better results than traditional methods.

An example of this is the Metro Narcotic Investigation Squad, made up of representatives of two county departments, two municipal departments, the Michigan State Police, and the university department. The squad has been in formal existence for more than a year. During that time there has been a marked improvement in investigative efforts dealing with narcotic law violation, particularly in the area of the hard narcotics such as heroin and the dangerous drugs. The squad's success has been copied by other regions and has just been awarded a $54,000 grant by the Law Enforcement Assistance Administration because of the cross-jurisdictional approach to combat a problem of scandalous proportions.

The foregoing examples of attaining and maintaining police town-gown relations are but a small part of the many areas that can be utilized by police agencies of any type. Problem solving has been the general catalyst. All that is really necessary for good results is for someone to say to a potential helper, "Please, I need your help." More of this is probably in store for the future because taxpayers cannot afford less. The continuing trend toward an urbanized society, even to the establishment of megalopolis communities, will force changes in our traditional forms of state, county, and local governmental services.

In addition, the cloak of insulation worn by higher education institutions is being forcibly removed. There is little likelihood that the university campus can ever again be any type of sanctuary from the greater society. It is a part of the action, and events have shown it best to accept such a premise rather than resist and be passed over by a dynamic world.

Universities are comparable to municipalities of equal size, and young people, whether students or non-students, are first class citizens. As citizens these people are entitled to the full protection of our legal system, and it is time for the universities to provide a system of public services to insure this right. Anything less than this can only be the legitimate object of complaint by those affected.

LAW ENFORCEMENT: THE OFFICER AS EDUCATOR*

William E. McDaniel

As colleges and universities have become the front line of activism, it is only reasonable to seek to place the best talent where the action is. Upgrading of university non-academic staff positions is therefore being done, with the realization that college and university administration has become far too complicated and demanding to allow one or several senior professors to leisurely attend to the administrative duties on a part-time basis while continuing with their primary duties of teaching. As such an easy pace was workable, in some instances as little as ten years ago, today's demands preclude all but the most thorough and studied applications of administrative technique.

Hand-in-hand with the necessity for upgrading positions of support to the teaching faculty is the prime necessity of a realignment of attitudes and priorities. One of the most frequently heard criticisms of the colleges and universities in the United States today relates to their growing atmosphere of cold, impersonal, and indifferent detachment from the students whom they serve, or claim to serve. Universities have tended to grow large so rapidly and have become so function-oriented as to present the formidable picture of a depersonalized institution that exists as an end in itself. There tends to be a growing impression that education is not the only business of the universities and that, in some instances, it is the least important function when compared to the business/industrial world and surrounding communities. Students often infer that administrators and professors consider them necessary evils, a source of revenue which helps defray operating costs of the institution and enables continuation of the more important business of research and task studies.

Attitudes and priorities affecting students are often a problem at the staff personnel level, also. In most large institutions the student is at the very bottom of the pecking order, considered an asocial entity incapable of intelligent thought or action and denied the basic courtesies normally accorded to even the most reprehensible members of society. It is difficult, perhaps, to realize the feeling of alienation and anxiety experienced by the incoming student, who is sometimes frightened, certainly impressionable. He comes to the university, which claims to have as its goal the development and education of the whole person, and many times finds himself thrust into circumstances which are not only unmeaningful but at times even detrimental to the furthering of his development.

The basic structure of higher education in the United States is not, of course, hopelessly perverted and corrupt; nor is it, for that matter, a tool of the military-industrial complex. Nor is all student alienation rooted in attitudes and methods employed by university administrators. However, as long as the basic welfare of the student is not the number one priority of college and university

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administrations, the present gulf that exists between the student body and administration will surely widen.

Exposed to the problem of student alienation, educators have arrived at a consensus that professionalization and upgrading of administrative and staff personnel are of prime necessity. The crux of the matter is where to start. At the risk of oversimplification, many people, including the author, propose that universities begin by doing what they advertise--educate.

The typical large university today may be viewed as a battlefield situation, where the faculty represents the line elements engaged in carrying out the primary mission with the administrative-staff positions acting as support. This has been the traditional approach to administrative organization. But why must the educational effort end at the faculty level? Is it impractical to expect all persons associated with or employed by the university to take part in the primary mission of the organization, that of educating? Modern warfare has changed by evolving away from the traditional opposed line concepts to the much more fluid concept of guerrilla warfare which necessitates total participation. The universities claim that their goal is the educating and rounding out of the total person. What better place to expect the program to begin than within the very physical surroundings in which the student will hopefully spend the next four years of his life?

The basis for this total educational effort would be teaching or educating by example. It is precisely at this juncture, therefore, that evaluation of attitudes and priorities is most important. It is now, when campus law enforcement is in the forefront--the most crucial position--that change, upgrading, and professionalization will have most profound and beneficial effects upon the impressionable student. It is here and now, on the campuses of colleges and universities throughout the nation, that students will carry reinforced impressions, learned and experienced, that will accompany them and reflect decisions, beliefs, and attitudes for the remainder of their lives.

How the campus police may conform to the preceeding proposition may be illustrated by a study of situations and experiences at Wayne State University in Detroit, Michigan. This institution's Department of Public Safety is offered as a subject largely because it is attempting to foster the very same sense of total involvement within the educational experience as previously mentioned.

Wayne State University is located in downtown Detroit and is about as "inner-city" as any college or university could possibly be. Wayne is unique among universities for several reasons, least of which is the fact that it is an inner-city school. Where most colleges or universities have a campus, Wayne is made up largely of university-owned buildings and properties scattered throughout the central city in such a fashion that the institution would escape the notice of someone merely driving through the area. Perhaps the most unique feature of Wayne State University is the fact that it maintains only one resident dormitory capable of housing perhaps 250 female students. The university is geared primarily for the commuting student and serves all surrounding suburbs as well as the city of Detroit proper.

Although the normal problems associated with resident dormitories are absent, the university is beset by all the problems normally encountered in a major metropolitan area. Street crimes such as larceny and robbery are especially prevalent in the immediate areas surrounding the primary concentration of university buildings, the primary complex. University safety officers routinely answer requests for police service stemming from armed robberies, shootings, cuttings, family disturbances, and all forms of violent behavior, as well as the more routine, service-type runs. The immediate areas surrounding the university comprise the first, second, and thirteenth precincts of the Detroit Police Department, long considered by most authorities to be among the toughest police beats to be found in the civilized world.

During the last decade, Wayne State University, along with most major universities nationwide, embarked upon a continuing program of building and expansion. During this time, it became apparent to the university administration that among its various growing pains was the fact that existing police protection provided by the metropolitan or municipal department was inadequate and unsuited to the special needs of the university community. This realization, coupled with several shocking incidents of criminal assult against university persons, resulted in the establishing in July of 1966 of the Wayne State University Department of Public Safety.

Before its formal establishment, it was decided by all involved that the new University or Campus Security Force (as it was called at the time for lack of a better term) would, by necessity, have to depart from the traditional mold of "campus cops." It would be forced to experiment with and search out new concepts of university policing to cope with a crime problem of major proportions and to function within the unique framework of the institution it served. Such a task called for innovation almost from its first breath of life.

Among the most innovative features devised was the concept that, unlike most campus law enforcement agencies, the department would not enforce university rules and regulations. Officers within the department would be commissioned as regular police and would possess full police powers of arrest within the city of Detroit. Consequently, public safety officers at Wayne State enforce only statutes and ordinances, leaving the enforcement of rules and regulations to the responsible administrative offices within the University. Also distinctive is the fact that public safety officers rarely patrol on university property but patrol and enforce in the area immediately surrounding major concentrations of university properties, on city streets, operating on the principal of the "thin blue line" encircling the university community. This concept has proved very successful in the past and was especially effective during the 1967 Detroit racial disturbances which left the university virtually untouched, even though it was located in the center of the trouble area.

Operational techniques are but a few of the innovative "firsts" fostered by the Department of Public Safety. Among the more tangible fruits of continuing research and experimentation were the introduction of a scooter patrol in the city of Detroit, the first functional "modified uniform" to be placed in service as standard issue anywhere in the United States, the adoption of the Kodak "Miracode" Information Storage and Retrieval System and the experimental "Universal Sentry System," an electronic system featuring remote function as well as detection capability. Although meaningful examples, the foregoing are but a few of the experimental efforts in which all officers are encouraged to participate.

Perhaps the chief feature of the department is the premium placed on education. The Department of Public Safety currently maintains among the highest (if not the highest) entrance requirements of any law enforcement agency in the nation. In addition to the most exacting physical, mental, and moral standards, a public safety applicant must possess the bachelor's degree (preferably in a police-related field) and must be accepted in an approved field of graduate study as prerequisite for acceptance. Once accepted, the applicant is placed on a one year probationary status and is entered into the Detroit Police Academy for fifteen to eighteen weeks of intensive basic police training. After graduation from the academy, the public safety officer is expected to continue his graduate studies as well as participate in continuing in-service training programs designed to keep him abreast of developments in the field.

The educational emphasis is threefold in purpose. First is the universal recognition that the key to true professionalism in police service lies in constant upgrading and educational accomplishment. Second is the necessity of the fully rounded and educated man to cope with the sensitive and often difficult problems confronting him within today's university community. Perhaps

more important, however, is the climate fostered by higher education, which makes possible the realignment of attitudes and priorities referred to earlier.

In conjunction with the realignment of attitudes and priorities lies a responsibility of equal importance to the basic business of police protection. It is the responsibility for assisting in the educational process within the university community. Within this important function, stressed educational standards for public safety officers have paid large dividends. Wayne State University public safety officers are attuned to the tempo of the university community, are sensitive to the wants and needs of the student body, and are therefore able to comprehend the necessity for assuming their roles as educators. Because of their own educational achievements, public safety officers are able to relate to students, who share common experiences, and to deal with faculty and administration on a more equal footing. Most importantly, they are capable of teaching effectively.

Wayne State operates under the theory that officers within the Public Safety Department are educators in their own rights and contribute materially to the total educational effort within the university community. First and perhaps foremost, public safety officers teach by daily example. Public safety officers are urged to adhere to and conduct themselves in accordance with the highest ethical standards of the law enforcement profession. Service to the university community is stressed at all times, and no problem is too small or too unimportant to receive the attention of the officers. The department headquarters is open not only to the university community but also to the entire university area on a seven-day-a-week, twenty-four-hour-a-day basis. All persons are urged to visit and seek any aid and assistance that the department is capable of giving. Officers are especially urged to offer as much help and assistance as possible to students engaged in classroom assignments requiring special studies and interviews on governmental functions and law enforcement subjects. The department library is open on a continuous basis to anyone in need of specialized research material. Often students come in just to talk over problems. In addition, public safety officers are in a prime position to educate the public as to their rights and privileges as well as their duties and responsibilities under the law.

By far the most challenging aspect of the total educational effort for the public safety officers is that of actual classroom teaching. Wayne State's officers are frequently sought for lectures and demonstrations, both within and outside of the university community. They regularly participate in university-wide personnel orientation programs. In addition to lectures and demonstrations, all officers assist the departmental training officer in the formulation of lesson planning for in-service training programs, public information bulletins circulated regularly, and inter-departmental training bulletins. Within the last year, public safety officers have also been asked by faculty to assist with and actually assume teaching positions within the university's Police Administration Program.

In the last four years at Wayne State University, the law enforcement officials have attempted to create an atmosphere of "pride in belonging," of creativity, and of excellence in service. They have taken a necessary step in the right direction toward proper attitudes and priorities, but one major problem area does remain——as it does on nearly all college and university campuses.

This problem is one of unwillingness on the part of many school administrators to recognize that law enforcement is a very specialized and exacting profession, possessing its own set of problems and functions. Many administrators insist upon running the whole show, refuse to delegate authority or responsibility to chiefs or directors of security and police functions, and constantly meddle in the problem areas in which they are neither knowledgeable nor competent.

During the past decade one university administrator after another has been capitulating to demands of unreasonable, radical groups, often

partly comprised of non-student, professional, traveling revolutionary types. In several instances, concessions have been made by administrators actually held at gunpoint. Such militant groups play upon the apprehension and fear of violent confrontation shared by many school officials for avowed purposes of gaining student demands or, as of late, simply tearing down the educational system. The current fad among many university administrators seems to be a "play it by ear," "keep everything cool," "peace at any price" strategy which many times entails simply continuously backing down and acquiescing to avoid threatened violence.

A favorite tactic of militants is to escalate a confrontation to the very brink of violence and then rush to the administrator, feigning concern for safety of "innocent students" (preferably in front of members of the press). They then subtly suggest that if the administrator should fail to take appropriate action (the appropriate action recommended would be concessions to the militants), the administrator would be "responsible" for the resultant violence. This tactic has been very successful because the school administrator, often an academic by profession, is totally unprepared, by his very nature as well as by his background, to face the potential result of what seems to him such a senseless rape of logic. An alert, intelligent and concerned generation of young people have incredulously watched their elders violate every principle and ethic which one generation passes to another.

As all children test their parents to see how far they will be permitted to go, many of today's young people have tested their elders' mettle only to walk away completely disillusioned and bitter at the mushy substance encountered. They looked for strength and were driven in many instances to the camps of the radicals, nihilists, and revolutionaries to tear down the establishment "just for the hell of it." It is within this area of concern that the previous themes of "teaching by example" would have the greatest impact.

The problems facing our institutions of higher learning today are complex and deep-seated, with roots reaching into the very heart of a society plagued by shifting values and constant change. Universities are no longer post-adolescent care centers where premium is placed upon paternalistic attitude by the faculty. They are melting pots for new ideas, populated by students possessing a variety of outlooks, ambitions, and dreams. And, as with any medium-sized city with a population ranging from twenty to thirty thousand, there will always be crime in the university community. There will always be the types of individuals who will infringe upon the rights of others and commit criminal acts.

University administrators must realize that a criminal act must be prosecuted as just that, a criminal act. There is no quicker way to inculcate a sense of doubt or a lack of credibility in any system or establishment than to maintain a double system of values, one set for students or student groups, another for the outside community. Student amnesty is the most cruel and contemptible hoax ever devised by one segment of society to be perpetrated upon another. It is a shame; it is not the correct response but an avoidance of the moral duty of an administrator's post and a rationalization that will multiply tenfold.

The primary reason for the tragic failure of many university officials to maintain order on their campuses might be traced to the lack of an adequate program of law enforcement of security designed, trained, and equipped to handle disorders and criminal acts. Activist groups are filled with experts at recognizing and ferreting out weakness or unpreparedness, and they will press these to their maximum advantage where possible. Much of the current violence on our campuses could be avoided simply by utilizing a competently-headed, well trained and equipped campus police agency, coupled with a firm, predictable, and meaningful administrative disciplinary policy.

The crux of the whole subject of coping with unrest is consistency and predictability. The university administrator could very easily take himself off the hot spot he now occupies by creating the type of public safety department described, heading it with a professionally oriented police administrator of proven dependability, and allowing that man to do his job without interference. Should such an enforcement director prove unreliable, he should be replaced immediately; but until then, he should be given as much confidence, backing, and latitude to deal with enforcement problems on the campus as possible.

Once such a program is in effect, policies and procedures concerning law violations and breaches of order should be publicized as much as possible. Fear of bad publicity to the contrary, only the most sheltered and naive person in today's society would think of a university community as void of criminal intent or all the normal human failings. It has been my experience that once potential criminals and disruptors learn that a university administration has adopted a no-nonsense policy, complete with enforcement machinery, and that it will not hesitate to invoke the process, there will be little trouble. The anarchists and revolutionaries will go elsewhere and crucify the administrator who has not taken the initiative to protect himself and his institution.

Upgrading of staff-support positions and realignment of attitudes and priorities, then, are the first steps toward closing the gap of mutual understanding and trust between today's student population and the administrations of our educational institutions. This follows the principle that the welfare and development of the student is the primary goal of the university community. No one can instruct from an isolated position of non-involvement; men must lead as well as teach by example.

STUDENT CONDUCT AND CAMPUS LAW ENFORCEMENT: A PROPOSAL*

O. Suthern Sims, Jr.

If one can believe research, Walter Cronkite, and a score of seasoned education writers, then it is fairly easy to conclude that the hallowed halls of ivy are fast becoming unhallowed battlegrounds. For the record, the American Council on Education (Linowitz, 1970) states that more than 500 institutions of higher education in this country underwent some form of disruptive protest during the 1968–1969 academic year. This represents almost one-fourth of the nation's colleges and universities.

Disturbing as this information is, however, figures from the Urban Research Corporation (**Chronicle of Higher Education**, April 6, 1970) indicate that the trend is toward more, not less, campus disturbance. They show that major incidents of student protest for a nine-week period from January–March, 1970, increased, rather than decreased, over the same period of the previous year.

If, indeed, the sacred round table of academe is being chopped into firewood, then it is axiomatic that the educational Camelot has been invaded and that these are troubled times for higher education (Sims, 1969b). Yet higher education is ill-equipped to do battle. The transition from the silent generation of the fifties to the active generation of the sixties left many colleges and universities totally unprepared to cope with both legal and illegal disruptions.

Since campus times and troubles have changed to match the tempo of the new student, a new method for dealing with student discipline must be effected. This writer believes that such a system lies in the creation and maintenance of a viable academic community through the development of non-academic ordinances and a workable campus judicial system to insure their adherence. It is believed that a brief review of trends in the handling of student disciplinary problems will lend itself to a discussion of the needs for such a system and the various ramifications of its adoption.

From Guardian to Administrator

America's first unofficial student personnel officers were the colony overseers at Harvard and, subsequently, the members of boards of trustees in other colleges. By the late eighteenth and the early nineteenth centuries presidents, their assistants, and members of the faculties shared in the responsibilities. They were required to patrol the dormitories frequently and report absences and misdemeanors to the boards of trustees, who determined the punishments.

In some cases faculty members were required to live in the dormitories to "preserve order and discipline [Leonard, 1956, p. 109]." This meant walking the halls often and forcing an entrance to any room into which they were not admitted on

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knocking. Except on rare occasions, the students were confined continuously within the buildings and grounds of the school. "Discipline was based on the premise that the president and the members of the faculty were acting in loco parentis (**Gott v. Berea College**, 1913) and that the board of trustees were empowered to lay down the rules as the supreme court of appeals [Leonard, 1956, p. 190]." Difficult problems in discipline, "ranging from failure of a student to tip his hat to a faculty member to dueling and stabbing fellow students [Leonard, 1956, p. 110]," led to the first concerted efforts, on the part of both faculty and students, to find positive means of improving conditions. In some colleges students were permitted to assist the administration in meeting problems of the college.

During the late nineteenth century, students began to make academic history by gaining more freedoms, such as student government, the honor system, and programs of independent study (Dennis and Kauffman, 1966). The basic belief that the administrative staff should act in loco parentis still permeated every phase of college governance, however, and was actually reinforced by the court case of **Gott v. Berea College** (1913). It was after the turn of the present century that student affairs personnel, by title, began to frequent the higher education scene. The deans of men and women served as surrogate parents to their students. In fact, their role of chief disciplinarian dictated that they be not only parent but also policeman, prosecuting attorney, defense attorney, judge, and jury. Occasionally students (and faculty) were permitted to participate in some student disciplinary proceedings at the invitation of the personnel dean. For the most part, however, student affairs deans had complete control in student conduct matters, even when assisted by student and/or faculty committees.

In the 1950s the American Council on Education conducted a study of student participation in institutional governance. It reported that

> . . . student participation in the making of college and university policy is an accepted fact on some campuses, an unrealistic proposition on others, but on many others a subject of serious study and discussion [Lunn, 1957, p. vi].

During this time, two outstanding developments occurred in the handling of student discipline: (1) responsibility was delegated to professionally trained counselors under a policy of rehabilitation, and (2) disciplinary boards or committees which included both students and staff (or students with staff members as advisers) were established (Falvey, 1952).

More than twenty-five hundred institutions of higher learning have been established in the United States in the past 300 years. As more people began to regard higher education as no longer a privilege but a right, rules made under the in loco parentis doctrine became less and less enforceable. Consequently, administrative policies changed, particularly in the area of student discipline. A number of important decisions over a period of many years, extending to the almost forgotten case of **Hill v. McCauley** (1887), emphasized the fact that

> . . . a student involved in a disciplinary proceeding was, according to the contract of admission, entitled to a notice of charges against him and a hearing to determine the facts, as essential procedural requirements to a valid expulsion [Dennis and Kauffman, 1966, p. 337].

Prior to 1960, cases concerned themselves primarily with the adequacy of hearings given to students. There was seldom interference from the courts unless there was clear "abuse of discretion or clear arbitrary action [Young, 1970, p. 21]." In August 1961, **Dixon v. Alabama** became the landmark court case dealing with student disciplinary proceedings in tax-supported institutions. That decision relating to the due

process clause of the Fourteenth Amendment and student disciplinary proceedings has become a byword with college administrators. Today the concept of in loco parentis does not stand without severe limitations. The courts in **Goldberg v. Regents of University of California** (1967) and **Moore v. Student Affairs Committee of Troy State University** (1968) stated that the college does not function, strictly speaking, in loco parentis to its students.

The area of student discipline is one of the keystones of a visible change that has taken place in higher education in America since 1900. Certainly today's most forward-looking and concerned administrators believe that a university has the responsibility not only of furnishing students with knowledge but also of helping them grow and develop into mature, concerned citizens of the community. Discipline is part of this educational responsibility and should be administered in such a way as to teach the individual that laws must be obeyed if society is to remain intact.

Campus as Community

Much is currently being said and written about the concept of the academic community; however, the word community has various connotations, ranging from sanctuary to political organization. There are those in higher education who wish to return to the days when the university was a closed shop admitting only the privileged and elite. That day, of course, is gone. When education became a right rather than a privilege, the university community was irreversibly altered. It cannot now be isolated from the world at large. It can never again be a quiet, tranquil haven where professors impart knowledge to students and administrators patrol dormitories, arbitrarily sending students home when they cease to act like young gentlemen and young ladies. Martin Meyersen (1966) has stated that

> . . . academicians must try to understand today's college student as a member of an egalitarian near-majority rather than an elite minority. The major change in American higher education in the last half century is that college has shifted from being the prerogative of a few . . . to being the life pattern of almost half of the young people and, in some urban areas, more than half. (p. 1)

The antithesis of the isolationist position is the theory that the university should become politicized and that it should be an instrument of "the people." Such a position would, of course, destroy the university, for who could decide what particular political stance the university should take? This is particularly true for public institutions. It would take only one session of the legislature to completely snarl the functioning of the educational system through reprisals. Academic freedom would quickly become an anachronism, with faculty hired and fired on the basis of political postures. Political alignment, therefore, offers a grim alternative.

There is a need, instead, to develop an adequate concept of community--one somewhere between complete isolation and complete assimilation. The Linowitz (1970) and Huber (1970) reports emphasize the fact that higher education institutions must generate new and effective forms for governing--structures that will allow all members of the community to be heard and to hear each other.

Within the past decade many small colleges have become large, and many large universities have become megaversities. Simultaneously, change has taken place in the large society--mass technological advances, activism by minority and student groups, development of the community college concept, providing an opportunity for higher education for the populus, larger payrolls, shorter work weeks, major medical advances, urbanization, decay of the inner cities, and growing affluence. This metamorphosis has caught most institutions off balance. It is now time to recognize that campus administrators are faced with the same problems that the mayor and

council of an urban city in this country encounter. The academic community is a city with all of the city's inherent difficulties.

The problem, of course, is preparing a definition and model of an academic community that can cope with these changes and still be acceptable to faculties, students, and administrators. It would be impossible, briefly, to establish a complete and workable academic community theory. But the author would propose that the establishment of ordinances and the adjudication of such can be one area that could serve as a model for involvement of all constituencies within the academic community.

Since a university or college is not a pure democracy, it is understandable that certain subjects are the prerogatives of certain constituencies within the academic framework. For instance, the curriculum is a major concern and responsibility of the faculty, students, and administration. The proper question, however, is one of who should have primary responsibility for the curriculum. Here it would seem that faculty, students, and administrators would all make inputs, but that the faculty should maintain major jurisdiction.

Another exemplary area is the concern for preservation of order and decorum on campus. Again, the crucial questions are those of what should be done, who should participate, and who should have primary jurisdiction. The writer proposes that the development and adjudication of non-academic ordinances offers an opportunity for all community members--faculty, students, and administrators--to make contributions. But the students could have primary responsibility for proposing ordinances which directly affect them and could also have primary responsibility for their adjudication.

These two examples are illustrative of how all members of the community can be involved in democratic decision-making, with major responsibility delegated to different constituencies, depending upon the subject. Hodgkinson (1970) reports that

> . . . over 200 institutions have 'mixed senates' made up of faculty, administration and student representatives. The larger goal is to eliminate parallel structures of committees--a faculty committee on student discipline, a student committee on student discipline, and an administrative committee on student discipline, none of which communicates with each other. (p.67)

This "mixed senate" structure for institutional governance is accepted by this writer as ideal; but, because of the structure's present limited use, a practical model for the development of ordinances and a student judicial system will assume the conventional existence of parallel structures of governance. It is now a common practice to have "mixed" student-faculty-administration committees within the parallel structures. That is, an institution might have a student government-faculty-student-administration committee on campus ordinances and the faculty senate could have the same committee.

It would be impossible to list all of the mechanics necessary for the operation of the following proposal. However, its establishment and operation will be dealt with in terms of the relationship to student government association, student affairs, faculty senate, and campus law enforcement.

Plan for Self-Governance

The case for meaningful and relevant ordinances on a college campus is not difficult to establish. Colleges and universities are chiefly specialized communities within themselves; secondly, they are part of the larger community, e. g., city, state, and nation. Nevertheless, some maintain that universities can simply rely on local, state, and federal statutes and upon outside law enforcement officers to enforce them. This approach appears

unsound primarily because all individual communities should police themselves due to their own uniqueness. It would be ludicrous to think that New York City could superimpose its local ordinances and enforcement officials upon the city of Atlanta. The same applies to the campus. By its own definition, it is different in purpose from the surrounding communities, although it has many, if not all, of their problems.

> The campus cannot solve the ills of society, but it can and does provide models of just about everything that students can emulate and transfer into the broader society when they graduate. Institutions provide computer models, agricultural models, psychological and sociological models, model cities, model administrative structures, model banks, and model medical services [Sims, 1970, p. 34].

Why, then, should the campus not provide model non-academic ordinances and model methods for enforcement? Faculties have long provided expert counsel on community development; perhaps it is time academe made operative on campus some of its own theories.

Therefore, the case for codification of meaningful ordinances on campus is an educational one as well as a practical one. This is not in any way reinforcing the cause for in loco parentis. Certainly all felonies and some misdemeanors committed on campus are and should be within the jurisdiction of state and federal statutes. The codification of campus non-academic ordinances by the state legislature would in no way interfere with state and local statutes and their adjudication. It would, however, emphasize the uniqueness of the campus and the equality of all members of the academic community. Students would live under ordinances like all citizens, rather than under rules of conduct like wards.

Practically, the non-academic ordinance proposal would, complimented by a competent campus law enforcement agency and an efficient judicial system, insure the integrity of the campus. For instance, a book theft on campus is a violation of law, but the local solicitor or district attorney is usually not interested in handling such matters due to the volume and gravity of matters of more interest to the broader community. To let book theft go unnoted would be poor education and citizenship. The same is true of matters involving campus disturbances, academic dishonesty, student housing regulations, and financial responsibility to the college.

The question always arises as to jurisdiction; that is, if a student steals a book in the city outside the geographical boundaries of the campus, should he be tried in town, by the campus judiciary system, or by both? The author believes that, when at all possible, geography should provide the boundaries for jurisdiction. If a student is apprehended on a felony or misdemeanor charge outside the geographical boundaries of the campus, he should be dealt with by the local officials of that community. On the other hand, if a student is apprehended on campus for a violation of campus ordinances or a misdemeanor charge (not felony), he should be dealt with by campus law enforcement and subsequently by the campus judicial system. The assumptions for these statements are the following:

1. It would be practically impossible for the local judicial system or the campus judicial system to handle all cases; therefore, there would be a tendency not to adequately enforce properly promulgated statutes.

2. The university must accept the student-citizen concept as opposed to the student-ward concept. The student is a citizen and he is responsible for his actions. Just because he is a member of the academic community does not mean that he is more severely dealt with or less severely dealt with than his brother who might have been apprehended for the same charge in the city. The university must provide fair, procedural, and substantive due process to students.

3. A competent campus law enforcement department must be established and maintained. Officers must be intelligent and possess superior judgment. As a minimum academic requirement a campus officer should have earned or be in the pursuit of a bachelor's degree. With the development of a professional campus law enforcement agency there should seldom, if ever, be a need for outside law enforcement.

4. The university or college must assume that the judgments of the local community judicial system are fair and equitable.

5. There must be trust and an inherent respect for one another on the part of all members of the academic community. Commitment among all members concerning this subject is essential.

6. The state legislature should make provision (preferably would be accomplished at the same time codification of ordinances was granted) for on-campus judicial disposition through a university magistrate who would serve as chief justice of the entire campus judicial system. He would have the authority to delegate the adjudication of alleged student violators to student courts. Students would then appeal decisions of said court(s) to the civil courts. The president of the university would appoint the magistrate.

If the premise of the academic community being a unique community with the need for ordinances is accepted, the logical next step is the establishment of the ordinances and the meaningful adjudication of them. The request for ordinances should be initiated by anyone in the academic community to the appropriate student government and/or faculty senate committee. The proposed ordinances affecting students should be discussed at open hearings and then voted upon by the students in a general referendum and/or by the legislative branch of the student government association.

The faculty senate and/or appropriate committees should be requested to review and give final approval to the proposed ordinances. If any of the proposed ordinances are augmented or deleted, a full explanation should be submitted to the student government association before final review by the faculty. Ideally, joint faculty-student-administrative committees would pass judgment on the proposal at every juncture.

The ordinances would then, if necessary, be submitted for the approval of the board of trustees. Thus, the possibility for input would have been available to all members of the academic community. It is suggested that administrators make their input as advisers to the student government association and/or as members of the faculty. There should certainly be no arbitrary power to augment or delete by the chief student affairs officers or any other administrative personnel. Parenthetically, it should be noted that the approved non-academic ordinances should be precise, clear, and relevant. The trend seems to be to incorporate only those ordinances that are essential for maintaining dignity and decorum and to insure the continuing operation of the institution.

After the establishment of lucid and precise ordinances, a mechanism for expediting alleged violators should be established. It is suggested that again a committee from the student government association and/or a joint faculty-student committee be formed to discuss procedures for a student judicial system. The committee would, of course, consult all members of the academic community, soliciting their opinions concerning the proposed system. Persons should be asked for their suggestions in writing or should appear at one of several open forums for the discussion of the new system. The committee should draw up proposed rules of procedure that would be precise, explicit, and detailed. These rules of procedure for the student judiciary should include the following:

1. the authority for the establishment of such a body (should come from the president of the college or university);
2. purpose of the rules of procedure;
3. functions of the various courts of the student judiciary;
4. jurisdiction of the student judiciary;
5. procedures for the commencement of action;
6. defintion of the parties;
7. definition of discovery;
8. explanation of the different types of hearings;
9. explanation of findings and disciplinary measures;
10. explanation of appellate procedures;
11. discussion of other possible jurisdiction of the student judiciary;
12. explanation of suspension pending hearing of restraint from enrollment. (**University of Georgia Handbook**, 1970, 45–54)

In addition to these rules and procedures, the student judiciary should also propose regulations. Such regulations would discuss:

1. publication of the rules of procedure and regulations;
2. status of all disciplinary records and jurisdiction;
3. quorum for vote requirement;
4. location of the various courts;
5. temporary and permanent appointment of the justices;
6. consequences for failure to answer summons of witness and contempt of court;
7. disqualification of justices;
8. right of a justice to dissent;
9. impeachment of justices;
10. amendments to the rules of procedure and regulations;
11. court costs;
12. oath of witness;
13. faculty advisers;
14. explanation of the finality of student judiciary decisions;
15. explanation of the term of office of the chief justice and the clerk;
16. procedures for filling vacancies;
17. listing of possible disciplinary measures. (**University of Georgia Handbook**, 1970, 54–57)

Anything less than a comprehensive student judiciary proposal is worthless. After the comprehensive proposal has been fully distributed on the campus, it should proceed from the committee to the student body for vote and/or to the student legislative branch of student government. From there it would follow the same procedure as listed in the discussion for formulating non-academic ordinances.

During the formulation of the judiciary, questions of relationship will certainly arise. Inherent in the proposal is the fact that the student judiciary will

become the judicial branch of the student government association. The student government association should fund the judiciary, which will include a full-time secretary (if needed) and office equipment and space. The president of the student government association should appoint all justices, with the approval of the legislative branch of the student government association. The faculty's involvement in the establishment of the ordinances affecting students and a student judiciary has hopefully been described. Faculty should take every opportunity to make their input and to show their interest in the development of the system.

Traditionally, student affairs officers have been disciplines-oriented, and prior to **Dixon v. Alabama** their power was practically unlimited. Some student affairs deans are most reluctant to share this power and certainly to relinquish it. However, student affairs officers should be professional educators, not amateur law enforcement officials. They should be concerned with providing services and programs to students and not with administering what are properly police functions. The relationship of the student judiciary to the student affairs office should in no way be an organic one. For example, their offices should not be in close proximity to one another, nor should they be funded by student affairs, lest the cry of "dupe of the administration" be directed toward the judiciary. It must be allowed to develop integrity.

At least one professional person in student affairs should serve as an adviser to the judiciary. However, other advisers could and actually should come from the faculty. The student affairs professional could function as the university advocate, or the student government association could establish a defender-advocate program. If the former is chosen, the student affairs officer would prepare the charges and present them to the student courts for a decision. Charges against students could be brought to the university advocate by any member of the academic community.

The primary role of the student affairs office is to make judgments as to whether an alleged violation should be processed through the student courts or be referred to counseling and medical personnel. For example, a charge of homosexuality could possibly best be dealt with more effectively by the health services than by the student judiciary. The point is that where penalities are assessed, they are done so by the student judiciary. The practice of "administrative option" in the assessment of penalties should be carefully evaluated so that administrators are not accused of coercing students into accepting their judgment rather than the opinion of peers. Succinctly, administrative prerogative comes in determining whether or not a violation has been committed, not in offering the student a choice as to who will hear his case and who will prescribe his punishment. Also, advisers to the judiciary could be present for the trial but not during the deliberations of the student court.

It is important to note that student affairs personnel would in no way have veto over any decision made by the student courts, with the possible exception of expulsion or suspension because it is questionable whether anyone other than the president of the university can separate a student from the educational process. Wise administrators would probably never reverse a recommended suspension or expulsion, however. If such happened, it could destroy the student judicial system.

The student judiciary would be charged only with rendering a decision of guilty or innocent and prescribing a penalty. That is, they would not be charged with interpreting or making ordinances; their sole duty would be that of making a decision on the basis of evidence. The preferred alternative to a student affairs officer serving as university advocate is the creation of a student-defender advocate program. In this case, the advocate for the university would be a student and the defender would also be a student.

Another important aspect of the relationship between student affairs and the student judiciary

is that professional personnel could then begin to concentrate on every aspect of a student development, rather than be completely absorbed in student discipline, as is often the case. Students would be judging students, a system many feel is inherently superior. The academic community, through advising functions, would continue to be involved in the system; but the primary responsibility for decision making in this area would be granted to the students.

A large measure of faith and trust in students is necessary to make a positive contribution toward helping to initiate such a system. There is little doubt that students will perhaps make errors in judgment, but so do civil judges. It is also true that the student population fluctuates and changes at least every four or five years, two years or less in the community college. The gap produced by this fluctuation can be bridged, however, with competent advisers and an on-going training program for the student participants.

The training program should be held at least once a quarter for a two- or three-day period. It would include statements on the confidentiality of proceedings, a thorough study of the ordinances, and discussion of the rules and procedures of the student judiciary. Other areas of study could be the relationship between the student judiciary, the faculty, the student affairs office, and the campus law enforcement agency. Certainly the role of the judiciary in the educational process should be thoroughly reviewed.

The relationship between the student judiciary and campus law enforcement is a crucial element in the development of a viable system. Thus, the working relationship between student affairs and campus law enforcement should be thoroughly delineated, in order to establish a basis for determining the relationship between law enforcement and the student judiciary.

It is further suggested that student affairs and law enforcement reach a mutual agreement on their relationship with all students on campus through a written memorandum of understanding. This should provide an operational basis for judicial procedure and an understanding between the two departments on the ordinances directly relating to students. In such a statement, the law enforcement officers should be charged with the basic responsibility of insuring that laws of the state are enforced with regard to all persons on property utilized by the university or college. Procedures to that end would include the following: all violations of law occuring on the property owned by the state or private school should be investigated in an objective, unbiased manner, after which the findings would be presented to the appropriate prosecuting official for action; the investigating officer would be required to file a written report of his findings, as well as the resulting prosecutive opinion received from the solicitor or district attorney; if the prosecuting attorney is of the opinion that no prosecution is feasible, the facts would be spelled out in a written report.

In the case of alleged criminal offenses by students, the procedures would be identical in that "all persons" includes students, as well as anyone else, committing violations of state statutes on campus. However, in the case of students who are identified as perpetrators of a prosecutable offense, the appropriate student affairs officer would be immediately notified. Any further information relative to prosecution or arrest would also be brought to the attention of that officer without delay.

In the event of a declination by the prosecuting official after an investigation had indicated the perpetrator of an offense was a student, the office of student affairs would be furnished a complete report, just as would be the case had the matter been prosecuted by the district attorney. The campus police office would then take no further action in the matter. Remaining action to be taken should rest with the office of student affairs. That office could initiate, if appropriate, action through student judiciary procedures. In the event of student judiciary proceedings, the campus law enforcement officers investigating the alleged violation and the evidence gathered would he

made available for presentation in courts of the student judiciary. The officers would be required to testify and present such evidence in just as an impartial manner as they would in state court.

It should also be noted in such a memorandum that student affairs officers must be responsible for insuring that campus law enforcement is immediately advised of the receipt of any information indicating a possible violation of law. In such case, student affairs would take no further action. Conversely, the campus police officer would be required immediately to advise personnel in student affairs upon receipt of any information indicating an incident had occurred which was the primary concern of student affairs. Campus police, in this event, would take no further action.

The clearcut distinction between felony violations of the law and non-academic ordinances should present no problem. However, as stated earlier, infractions within the misdemeanor area are frequently matters of judgment as to whether prosecution should be in the civil courts or the student courts.

The memorandum of understanding would be based on the following:

1. In loco parentis is dead as a viable alternative in administering student discipline.

2. A complete separation of operational functions should exist between student affairs and campus law enforcement in dealing with violation of local, state, and federal laws on campus.

3. Professionalization of campus law enforcement should be in progress.

4. Student affairs personnel should view themselves as student development specialists and educators.

The student judiciary's relationship to campus law enforcement would then be basically the same as it is to the faculty, student affairs, and the entire academic community. It would exist to make impartial decisions as to the innocence or guilt of a person and would assess the appropriate penalty.

It would be improper to conclude without listing what appear to be major advantages of this kind of involvement of the academic community in the development of a system of ordinances and their adjudication.

1. A sense of involvement and pride in the system should develop, transforming judicial judgments into "our thing," not "their problem."

2. Each student defendant would be guaranteed every aspect of due process. This system should go beyond all requirements enumerated by the courts to date.

3. Students would be involved in a meaningful way in decision making.

4. Hopefully, penalties assessed by the courts would accurately reflect the serious, thoughtful views of the student body concerning the ordinances.

5. Relevance of the institution's code in the eyes of the students could easily be read by reviewing the decisions of the courts.

6. Peer judgment would be insured with its obvious benefits.

7. Opportunity would exist for continuing involvement of faculty and administration in student-related ordinances and their adjudication (as advisers).

Wisdom dictates that no proposal is perfect and applicable to every situation. It is recognized that private and public, two-year, four-year, and major universities all have their own peculiarities.

However, it is hoped that the thoughts expressed herein can help meet the challenge offered to higher education to achieve an improved system of campus communication.

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CAMPUS EMERGENCY PLANNING: SOME SUGGESTIONS

Richard O. Bernitt

O. Suthern Sims, Jr.

Planning, in its most simple definition is deciding in advance what is to be done. Overall it clarifies objectives, establishes policies, maps programs, determines specific methods or procedures, and fixes day-to-day schedules. Plans are made to guide human activity; therefore, they must be formulated in view of their effects on many people.

William H. Newman in his book **Administrative Action** suggests that planning is a primary administrative function equal in importance with organizing, directing, controlling, and assembling resources. Planning is a familiar everyday activity practiced to some degree and with varying success by everybody, including administrators.

In general, plans are implemented to achieve a specific goal, and they normally fall into one of two categories--single-use plans and standing plans. Examples of each are football game traffic plans and disaster control plans, respectively.

The usefulness of plans and the merit of expending great energy and mantime in their development must be reviewed with a jaundiced eye. For example, plans are useful only so long as the assumptions upon which they are based prove substantially correct. This means that it is vital to forecast accurately. When forecasting is apt to prove unreliable, advance planning, at least to an expensive degree, may be very questionable. Furthermore, as the range in time that is projected is lengthened the planning becomes less reliable. Another pitfall that should be noted with regard to the development of standing plans is that they tend to become inflexible. Unless such plans are reviewed and updated regularly they soon become dust-covered and forgotten, and those involved in their implementation become psychologically detached from their proper role.

Administrators must recognize, too, that planning speed is often of prime consideration, requiring that detailed planning be relegated to a secondary position. As such, this premise can be stated in another and more familiar form by indicating that it is sometimes better to fly by the seat of the pants than it is to become a sitting duck while detailed plans are being prepared. Day-by-day examples of operations that must proceed regularly in such a manner are the military and police and fire departments where life-death emergencies are somewhat commonplace. However, the experience gained from such activity cannot be lost. Future similar emergencies should be planned for and plans for these emergencies should be reduced to writing and circulated among all concerned for review and comment prior to formal finalization.

There are many emergency and non-emergency plans that should be considered in coping with certain events and anticipated problems. The following are examples of several different types of plans: a football game plan, a snow emergency plan, a visiting dignitary plan, a disorder plan, and a disaster plan. It would be impossible to comprehensively deal with each plan, but perhaps a brief discussion of each will demonstrate in some way what should be done to cope with the myriad of potential problems that must be solved, hopefully in advance, if a smooth program is to be held.

The football plan is an example of a single-use plan that necessitates a great deal of coordination between a number of university agencies and the

surrounding area public service agencies. In the area of traffic handling alone considerable coordination has to be effected. Since the campus is the generator of the event, it should host and conduct an early meeting with representatives of at least the following agencies:

1. State Police
2. County Sheriff's Department
3. State Highway Department
4. City Police Department
5. County Road Commission
6. Campus Bus System
7. Campus Department of Public Safety

At this meeting the most likely topics of discussion are:

1. A distribution of the home football schedule and the identification of special days (Band Day, Homecoming).
2. Information relating to any changes in the available road system from the previous year (any major change will probably affect the ultimate traffic plan).
3. An agreement as to which agencies will be responsible for critical traffic control points.
4. An agreement about traffic directional signs that are deemed necessary and what agencies will be responsible for their construction, erection, and removal.
5. The identification of problems noted during the previous season and arrival at an accepted method of solving each.
6. Special problems that may need solution.

Independent of this meeting a significant number of additional contacts are needed with the following campus and non-campus agencies for the purposes as indicated:

1. Campus Athletic Department
   a. Special parking needs
   b. Financial arrangements for stadium crowd control and emergency services personnel
   c. Special police needs
2. Campus Health Services
   a. First aid services at the stadium
   b. Resuscitator-inhalator crews and equipment
3. Ambulance Services
   a. Stand-by ambulance service
4. University Physical Plant
   a. Preparation of needed traffic control signs
   b. Traffic control barricades and their distribution and pick up
   c. Directional signs
5. News Media
   a. Dissemination of traffic control plan
6. Campus Married Housing
   a. Dissemination of special notices concerning the traffic plan as it affects married housing residents
7. Campus Music Department
   a. Special arrangements for performances and for Band Day
8. Concessions Department
   a. Arrangements for feeding police personnel
   b. Money escort service
9. Campus Bus System
   a. Commuter bus service

10. Campus Placement Office plus other areas
    a. Recruitment of student employees

11. Local Telephone Company
    a. Installation of special phones for police use

12. Railroad Companies
    a. Train movement across campus during the event and special trains carrying patrons to the games

Internally, the campus public safety department should prepare, distribute, and review:

1. Traffic Plan and Instructions for Each Post
   a. Incoming traffic (pre-game)
   b. During game assignment
   c. Outgoing traffic (post-game)

2. Police Information Booth at Stadium
   a. Equipment and supplies needed
   b. Arrest duties
   c. Property control

3. Special Police Duties
   a. Money escorts (concessions and Athletic Department)
   b. Transportation of nurses to and from stadium

4. Special Passes in Effect
   a. Vehicle movement
   b. Parking

5. Parking Lot Security
   a. Observation posts and patrols

6. Student Employee Briefing
   a. Assignments given by area supervisor

This plan can handle approximately 20,000 cars and a crowd of up to 80,000 with no great degree of difficulty (barring heavy rain or snow) and all can be off campus if they so choose within forty-five to fifty minutes following the game.

A traffic plan of a different type and of an emergency variety is the snow plan. It should include consideration of the following:

1. Publication of a tentative schedule for the resumption of classes.

2. Postponement of special activities and the announcement of when they are to be rescheduled.

3. Closing of the entire campus to all motor vehicle traffic except emergency vehicles and those driven by pass holders.

4. Establishment of a priority in snow removal operations on campus streets and selected parking lots.

5. Suspension of all campus construction operations.

6. Announcement of a Tuesday through Saturday work week thereby providing an additional twenty-four hours to recoup.

7. Implementation of a limited campus bus service.

8. Development of a procedure that provides that there will be but one spokesman for the campus's day-to-day plan.

9. Publication of a plan that would utilize the productive efforts of volunteer students in the restoration of their on-campus living-unit areas.

10. Dissemination of these plans should be made to the public through radio and TV announcements.

A third plan that borders on the emergency category is that dealing with the protection of visiting political dignitaries, such as the President or Vice President of the United States or a foreign

political leader. In either case, federal agencies such as the Secret Service or the security branch of the United States State Department dictate or require that their security precautions be implemented. This means that whatever security and operational procedures that may be planned at the local level are subject to change by the representatives of the federal departments. In addition, the personal whims of the individual personality necessitate unplanned and unsuspected last minute changes. In short, there must be a great deal of flexibility in the plan and in the minds of those responsible for expediting the plan.

Such visits to campus can result in the placement of unusual demands upon public safety and physical plant personnel. One example that almost always occurs is the necessity that stages from which the official makes his presentation be examined to assure the absence of bombs or other dangerous devices. Following the search, tight security is maintained and unauthorized persons will have little ability to do their work without considerable interference by security personnel.

Recent tragedies such as the assassinations of President Kennedy, Dr. Martin Luther King, and Senator Robert Kennedy have placed the security agencies under great pressure to protect their charges. Their experience in this area is beyond those who do not deal in such work regularly. As a result, their demands may appear to be unnecessary; but their fears are well founded and their actions are based upon the best interests of the person being protected. The name, date of birth and address of every person who might have to be in proximity to the distinguished visitor is often requested. Checks are made so that individuals having demonstrated a known animosity to the political personage can be properly cleared by direct investigation.

A fourth planning area is that of campus disorders and plans to minimize their effects on the normal routine of the university operation. There are several key elements that must be considered by the planner before any plans can be formulated. Not necessarily in order of priority, since they are intertwined, the following considerations are:

1. What is the position of the university administration with regard to the problem and its several aspects?

2. What is the legal framework within which the institution must function?

3. What is the position of the chief law enforcement officer of the county with regard to his prosecution of the anticipated violators and the violations that can be expected to occur?

4. To what extent, if any, will police manpower from the campus and area agencies be available?

In the face of continuing disorder throughout the country, it is realized that there must be collective support of common goals between and among agencies if society is to survive. No agency in and of itself has the manpower or expertise to cope with the problems demonstrated in Newark, Detroit, or any of the multitude of other cities where riotous conditions have occurred. All in law enforcement knew this long ago, but too many agencies and their political leaders sat on their hands and watched the world go by. The habits of coordination should have been implanted beyond the phenomenon of civil strife.

The following are among the items suggested for consideration in the development of a campus disorder plan:

1. Designation of person(s) empowered to declare a state of emergency on campus.

2. Compilation of a list (including telephone numbers) of persons who are to be immediately notified.

3. Designation of a central meeting place and alternate for chief administrators and other personnel.

4. Notification of the news media and designation of one person responsible for continuation of such releases.

5. Clarification of who is responsible for authorizing outside law enforcement and when to do so.

6. Preparation of "vacate the premises" statements to be released at the proper time by the dean of student affairs, director of public safety, and the president of the institution.

7. Preparation of injunction procedures to be expedited at the appropriate time.

8. Appointment of faculty and student marshal teams to be activated by the president of the institution at the appropriate time.

9. Appointment of representative faculty and student committees for the purpose of keeping all members of the academic community informed.

10. Delineation of responsibilities for all administrative officers and a requirement that they have on record supplemental plans for their designated responsibilities.

11. Appointment of person(s) to be responsible for maintaining a "log" in which are accurately listed the date, time, and nature of each event, names of persons involved, and descriptions of action taken.

12. Purchase of necessary equipment.

13. Development of emergency disciplinary procedures.

14. Consideration of implementation of twelve-hour shifts for all campus personnel involved in the crisis.

15. Establishment of building security priorities.

16. Appointment of person(s) to be responsible for continuously taking photographs not only with regard to identification of individual participants but also to provide clearly identifiable results of action taken by participants.

17. Provision for proper fire, power, and communication protection.

18. Establishment of procedures to safeguard all written disorder plans.

The last example of a planning operation is a campus disaster plan. Discussion of this plan will center around identifying some important concepts and weaknesses in its development rather than suggesting actual items to be considered in the development of a disaster plan. Such concepts are:

1. Potential of a disaster confronts every campus.

2. Tornado potential has been identified as one of the primary threats to institutions.

3. Campuses must be self-reliant first and not necessarily count on the support of outside agencies.

4. Responsibility for direction should be delegated to one individual.

5. Only full-time continuing campus operations such as physical plant and campus public safety are called upon to fulfill specific responsibilities. Teaching faculty and students should be

purposefully omitted due to their academic schedules.

6. Campuses should recognize that their facilities, equipment, and manpower will be extended to off campus areas whenever they can be released.

7. Such plans are always incomplete and outdated. Review and revisions are a constant expectation.

Close examination of several campus disaster plans revealed:

1. An inadequate primary Disaster Control Center.

2. A suspicion that the actual or impending occurrence of a serious emergency will result in the refusal of key employees to leave their homes and families.

3. An inadequate campus warning system.

4. The never-ending need for training not met in all appropriate areas.

5. Lengthy periods of shelter taking becoming a harrowing experience for some, with hysteria becoming a major problem. Unfortunately, little pre-emergency training can be conducted that would properly indoctrinate those most affected--the public.

6. An assumption that communications will be seriously disrupted with a resulting lessening of efficiency by those dependent upon radio and telephone.

In the event of an emergency the institution should use its existing plan as a base of operations recognizing that there will be many on-the-spot innovations engineered by employees who will have to make immediate decisions. Most of them will be improvements, and all of them will certainly be made in the best interests of the public and public property.

In summary, the authors have postulated that (1) emergency planning is an important part of the total program of the campus, (2) successful planning requires a great deal of coordination within and beyond the campus, (3) these are troubled times and the scope of emergency planning must include plans to minimize acts of sabotage and planned disruption, and (4) plans are not static (they must be constantly reviewed and updated). Examples of four different types of plans were presented in an effort to illustrate both the need for such plans and the possible items that should be included.

JUDICIAL REMEDIES FOR STUDENT PROTEST PROBLEMS: PRACTICAL APPROACHES*

Harold N. Hill, Jr.

A man once commented on the attitudes of the young of his era by proclaiming:

> Our youth today love luxury. They have bad manners, contempt for authority, disrespect for old people. Children nowadays are tyrants. They contradict their parents, gobble their food and tyrannize their teachers.

Allegedly, these thoughts were expressed by Socrates and recorded by Plato. It would be easy to draw comfort from these words, thus assuming that the latter half of the twentieth century is not civilization's first encounter with student disorder. However, look what became of the greatness of Greece in Plato's time. There are problems today which must be dealt with, lest someone two thousand years from now mistakenly take comfort from today's disorder, unable to understand what has become of this civilization and of its democratic institutions.

Usually when educational institutions reach the point of considering "Judicial Remedies," problems have erupted. Judicial remedies are like surgery--they leave scars. They also are like medicine--they can lose their effectiveness from over use. Therefore, prepare before spring, because prevention is preferred over therapy. Moreover, judicial remedies require advance preparation to be effective.

There are several legal and extra-legal remedies available to colleges and universities in dealing with student disorders. The extra-legal remedies will be presented first, but it is well to remember that few, if any, are mutually exclusive and use of several combinations should be considered, depending always on the particular facts and circumstances. After analyzing these remedies, an attempt will be made to point out the interrelationship between them.

Possible Non-Judicial Redresses

(1) Ignore the demonstration (not applicable to property damage and destruction). As recently as 1969, administrative officials at the University of Chicago chose to ignore a group of demonstrators which occupied a building for fifteen days.

(2) Utilize student disciplinary measures. At the conclusion of the University of Chicago sit-in, forty-two students were expelled and eight-one were suspended. Observe the interrelationship between these first two restorative actions.

Discipline may be used to halt a disturbance. Notice of hearing could be served during a sit-in, so that the student must choose between continuing the sit-in or having expulsion entered by default when the subject fails to appear. Disciplinary measures obviously will not work

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with non-students or if disciplinary officers are sympathetic to the demonstrators.

(3) Out-wit the demonstrators (in non-serious cases). If feminists occupy the men's locker room and halt the male athletic program, consider introducing white mice into the occupied building. If the building is occupied by male students, perhaps free beer could be given away nearby. Discontinuance of utility service (with the exception of the fire alarm and sprinkler systems) to the building could be employed.

Initiation of a more popular, controlled demonstration elsewhere could be expedited. This would mean that by-standers could be attracted away and the hard core would have to declare its allegiance to one cause or the other. A new version of the Trojan Horse could be devised as an effective method in seeking to out-wit demonstrators.

Possible Judicial Redresses

(1) Civil suit for damages. Where one or more persons, students or non-students, destroy or damage property, a civil suit for recovery of damages, including possible punitive damages, will lie. The disadvantage is that the delay involved in adjudication usually minimizes this device as a means of terminating the disturbance. However, it should not be overlooked in the aftermath of a destructive demonstration and in preventing recurrences. Moreover, the mere filing of the complaint seeking damages may act as a deterrent to further destruction.

(2) Criminal sanctions. Some demonstrations can be ended only by the use of criminal sanctions. The disadvantage is that this involves the introduction of police, accompanied by flash bulbs and paddy wagons, onto the campus. There are the risks of escalation in the conflict and of over-reaction by police and/or students. Those students who make up the "silent majority" generally will not be sympathetic to the police or to the administration for calling them. They may feel that the institution has admitted loss of control of the situation by calling for the "cops."

It is not wise, however, to publically rule out in advance the use of police. Even uncalled, they can act as a deterrent. In preparation for an emergency, confer with local officials in advance, and keep them posted during a disturbance.

(3) Injunctions (court orders). Injunctions have thus far proved to be one of the most effective legal rememdies in ending student disturbances. They have several advantages. First, like President Kennedy's blockage of Cuba, injunctions are a temperate middle ground between doing nothing and declaring war. Second, the battleground is moved from the campus to the courtroom, where traditional rules govern the conflict. Third, many college demonstrators have thus far been willing to have the controversy transferred to the courtroom and have expended their energy on preparations for trials. Fourth, some court orders have been and will be resisted physically by the demonstrators, at which time law enforcement officials must move in. However, the court calls them into action, not the university. They usually are non-uniform police, which is like using federal marshalls in Alabama as opposed to the national guard in Little Rock, Arkansas. Fifth, most students, and that includes some militants as well as the non-activists, do not identify with police but do identify with courts. They have seen social change meted out by the courts, and they respect them. They generally have been amenable to court decisions and orders controlling student demonstrations.

To maintain that respect and hence the effectiveness of court injunctions, the following should be considered. First, use injunctions sparingly and consider using other available remedies. Second, select, if possible, a court or judge respected by the students rather than one that will undoubtedly grant the injunction. A judge's reputation among students may in large measure account for the obedience to the orders issued. Third, do not seek an excessive or vague injunction. Ask for no more than the institution

has the right to demand. Avoid running the risk of reversal on appeal. Fourth, when appropriate, follow up and injunction with student disciplinary proceedings. Fifth, be prepared to seek enforcement of the injunction. Any injunction which is disobeyed without contempt citations being issued weakens this method of controlling disruption.

Contempt of court citations are a speedy enforcement device, faster in fact than criminal trials. All in all, injunctions afford the demonstrator with a means of terminating the demonstration without either surrendering (the dispute continues, but in the courtroom) or being locked in jail.

In preparation for use of the injunctive remedy, appropriate attorneys should be consulted; and they should prepare a brief and skeleton petition seeking an injunction as against claims of freedom of speech and freedom of assembly. Properly prepared, an attorney can be ready to obtain an injunction within a matter of a few hours after directed to proceed. If there is advance warning of the disturbance, the attorney may be able to appear in court within one hour of the outbreak of trouble. The hour's delay probably will be required so that notice can be given to the demonstrators that an injunction will be requested and so that they have an opportunity to obtain an attorney and appear in court. This is a requirement imposed by the Supreme Court, and failure to afford the students these rights may nullify the injunction.

Be prepared to furnish the attorney with as many names of the students involved as possible, including one or more from the county in which the institution is located. Also, supply as many photographs as can be obtained, if possible identifying students in those photographs. Tape recordings of noise disturbance and of obscenities and speeches inciting riots are also helpful as evidence.

In order to obtain an injunction, it will be beneficial if the rules of student conduct are properly written, so that the petition can show violations of specific, valid regulations. It will also be beneficial if the state's criminal laws are properly written, so that the petition for injunction can show violations of specific, valid statutes.

It is a comfort to have a list of crimes in advance, a list ranging from arson to weapons, and including false imprisonment, possession of explosives and incendiaries, damage to property, trespass, theft, riot, false alarms, and obscene language. It is not, however, desirable to have student conduct rules precisely patterned after criminal laws. In fact, it is preferable that they not be co-extensive. The rules should be for students, and the ingenuity of students for misbehavior is greater than the rule making genius of legislators and even school administrators.

Student conduct regulations must be applied equally to all students, as a predicate to judicial relief. If there is a rule against the use of bull-horns and other amplifying devices during certain hours in specified areas of the campus, it is not legally wise to enjoin violation of that rule if candidates for class office are allowed to use bull-horns as part of their election campaigning or if permission is given to campus organizations to hold street dances with loudly amplified juke boxes. Enforcement of rules should be even-handed and consistent, or the rules will be ineffective when dusted off to use against unpopular demonstrators. Similarly, once an injunction has been obtained against some students, it is judicious to refrain from issuing permits to others which would violate the injunction. For example, if the SDS is enjoined from having meetings on the tennis courts, abstain from allowing the Sigma Nus to have a state convention on the baseball field.

In conclusion, the ultimate choice of remedies lies with the school administration. In selecting which restorative action(s) to use, consideration should be given to the nature of the disturbance, its objectives, the faculty and student body, the governing board and the public, particularly the community in which the institution is located, and

the historic relationship between the students and the local police and the courts.

Think first of how to prevent the disturbance; then of how to out-think it. The ultimate solution to student disorders will be resolution of the problems which create those turbulences. In the meantime, it is necessary to utilize selectively the various legal and other helps available to control the outbursts themselves.

"PIGS OFF CAMPUS!"
THE POLICE AND STUDENT DEMONSTRATORS

Dale Gaddy

"Pigs Off Campus! Pigs Off Campus!" becomes an increasingly familiar cry among college and university demonstrators as violent confrontations between protestors and public law enforcement officers have erupted on scores of campuses throughout the United States in recent months and years. In the absence of evidence to show that student activism has passed its zenith, speculation mounts that continued--if not intensified--clashes between campus militants and policemen will be recorded in the 1970s.

To what extent are non-campus policemen involved in campus disturbances? What action do college administrators and non-campus police officials take, mutually and independently, to insure the peaceful (even, if necessary, forceful) restoration of order to their academic and public communities? What pitfalls should be avoided by both factions? What guidelines should these authorities follow in planning responses to campus violence? These and related matters were the subjects of or motivating factors for a seven-page questionnaire entitled "The Police and the Campus Demonstrators," mailed June, 1969, to 145 chiefs of police or sheriffs at various college towns and cities throughout the nation. Names and addresses were taken from **The National Directory of Law Enforcement Administrators and Correctional Institutions** (Milwaukee: National Police Chiefs and Sheriffs Information Bureau, 1968).

Usable responses were received from fifty-one major police administrators--a 35 percent return; nine others (6 percent) submitted explanations of why they were unwilling or unable to respond to such a questionnaire. No follow-up mailing was attempted in this independently sponsored and financed study. A cover letter accompanying each questionnaire pledged to keep anonymous the names of all respondents, the cities or towns represented by them, and the institutions within their jurisdiction. Postmarks on the returned envelopes indicate that agencies from thirty states responded.

The towns and communities selected for this survey were chosen on the following bases: (1) they had been listed as sites of post-1967 college or university demonstrations in one or more published sources, and/or (2) they are sites of other major colleges or universities selected at random. At least one college or university town or city from each state was included in the list.

The questionnaire was divided into three parts: (1) actual demonstrations involving college students within the department's area of jurisdiction, (2) hypothetical events that could occur either on or off campus, and (3) attitudes toward student unrest.

Demonstration, as used in the questionnaire, referred to any public display of group feelings--such as in a protest rally or march.

Scope of Demonstrations

Thirty-four (66 percent) of the 51 respondents indicated that one or more demonstrations occurred in their respective areas of jurisdiction between September 1967 and July 1969. A total of 170 demonstrations, ranging from 1 to 40 per department, was reported; 27 (80 percent) of the 34 departments experienced fewer than 7 demonstrations. The combined estimates of the respondents showed

that 13,000 demonstrators participated in the disturbances, an average of 76 demonstrators per incident.

Major reasons cited for these disturbances are shown in Table I. Obviously, more than one reason was given by each department.

TABLE I

Percentage of 34 Respondents	Issues of Protests
45%	Vietnam War
45%	Civil rights
45%	College rules
21%	Black studies
15%	ROTC
12%	On-campus recruitment of students by commercial firms
9%	Military draft
6%	Students for a Democratic Society
6%	George Wallace
6%	Miscellaneous

Asked if injuries were sustained in any of the demonstrations, 21 (61 percent) of the departments said "no." The remainder said that injuries were sustained in 10 (6 percent) of the 170 demonstrations. Superficial wounds were suffered in 9 of these instances, more serious injuries, such as head wounds, gunshot wounds, lacerations, broken limbs, and puncture wounds, in 3 cases. On the basis of these estimates, the chances of being injured in a demonstration are 1:20.

Property damage was reported by 20 (59 percent) of the 34 departments. Of these, 16 (80 percent) classified the damage as damage to "campus property," primarily damage to furniture and windows, 2 (10 percent) to automobiles, and 2 (10 percent) to the business area of the community. Monetary estimates were $1–100 (3 departments; 15 percent), $100–500 (1 department; 5 percent), $500–1000 (1 department; 5 percent), and up to $5000 (4 departments; 20 percent). No monetary values were cited by 11 (55 percent) of the departments.

Police Involvement in Campus Disorders

Although 34 departments reported a demonstration involving college students in their areas, 5 (15 percent) neglected to indicate whether or not municipal police were dispatched to the scene. The remaining 85 percent responded as in Table II, which shows that most of them found it necessary to become involved in a college student disturbance fewer than 3 times during the 22-month period covered in this survey.

TABLE II

Percentage of 34 Departments	Number of Disturbances Requiring Deployment of Police
21%	0
24%	1
12%	2
21%	3–9
9%	10 or more

Table III depicts the number of policemen sent to the scenes of the disturbances.

TABLE III

Percentage of 34 Departments	Number of Officers Deployed
21%	0
30%	1– 25
15%	26– 50
21%	51–100
15%	101–600

Sixty-seven percent of these departments sent policemen onto the campus grounds. The length of their stay on campus ranged from less than 1 hour (13 percent of the respondents) to 4 months (4 percent). Thirty percent had officers on the campus between 1 and 5 hours, 26 percent between 5 and 24 hours, and 22 percent between 1 and 15 days.

In 30 percent of the instances, the police were involved in the campus disturbances at the discretion of campus administrators. The decision to involve police was reached by mutual consent of campus administrators and police officials in 52 percent of the cases. The police interceded solely at their own discretion in 17 percent of the cases.

The policemen were armed in 97 percent of these instances. Plainclothesmen were sent onto the campus by 71 percent of the departments; 12 percent failed to say whether or not plainclothesmen were used. The number of plainclothesmen dispatched to each disturbance is given in Table IV.

TABLE IV

Percentage of 24 Departments	Number of Plainclothesmen Deployed
42%	1– 5
29%	6–10
13%	11–20
8%	21 or more
8%	No response

Tear gas (Mace) was used by 21 percent of the 34 departments; it was not used by 58 percent; the other 21 percent did not respond.

Reinforcements from other law enforcement agencies were required by 43 percent of the 23 departments that initially responded to a campus disturbance. The most frequent source was the state highway patrol, (22 percent of the cases), followed by the sheriff's department (13 percent), and the National Guard (9 percent). Two departments called for reinforcements from more than one source; 2 turned to other sources not identified on the response sheet.

Table V shows the responses to the question, "If your department was involved in the disorder(s), how was it initially alerted?"

TABLE V

Percentage of 34 Departments	Source of Police Notification Information
36%	College administration
15%	Campus police
12%	Municipal police
6%	College student
6%	Private citizen
6%	"Informants on campus"
6%	"Intelligence sources"
3%	Faculty member
4%	Other (undesignated)

The 12 respondents who indicated that a college administrator was the first person to notify their departments further specified his official position. Half were presidents of the institutions, and 17 percent were deans. Other positions noted were (1) dean of men, (2) vice-president, (3) comptroller, and (4) superintendent--each checked by a different department.

The major means of asking the police departments for assistance were telephone (54 percent), personal contact (39 percent), and police radio (9 percent). Notification came before an actual disturbance erupted in 30 percent of the instances, immediately following the disruption in 42 percent of the cases, within 15–30 minutes after the disorder began in 6 percent of the instances, and more than 30 minutes after the disturbance was under way in 3 percent of the cases. Twenty-one percent of the respondents did not reveal the amount of time before receiving notification of a campus disturbance.

Of the 23 departments who decided to send officers onto the campus, 61 percent did so immediately, 17 percent within the first hour, 9 percent between the first and second hour, and 4 percent more than 2 hours after the disturbance began. Nine percent did not answer.

Twenty-four (70 percent) of the 34 departments reported that arrests were made, primarily on charges of disorderly conduct (by 29 percent of these departments), trespassing (25 percent), and disturbing the peace (25 percent). Other charges listed by the respondents were assaulting an officer, disobeying a court injunction, resisting the draft, using profane language, inciting to riot, unlawful assembly, destruction of property, violation of a "safe-school ordinance," and drinking on a public street.

Ten (30 percent) of the departments reported fines up to $100; 10 (30 percent) reported jail sentences ranging from 1 to 30 days; 5 (15 percent) reported meting out suspended sentences ranging from 1 day to an indefinite period; 3 (9 percent) referred the arrested students to college authorities for disciplinary action; and 6 (18 percent) reported that judgment was pending on a number of cases. No department reported the referral of a student to his parent(s).

Table VI is based on responses to the question, "Does your department receive advance notice of the appearance of controversial speakers, military recruiters, or other potentially disruptive campus visitors or events? If so, from whom?"

TABLE VI

Percentage of 51 Departments	Source of Notification of Campus Visitors
37%	College administration
27%	Campus police
18%	Police intelligence
8%	News media
4%	Informants
2%	Other

Police Reaction to Hypothetical Problems

Realizing that not all departments would likely have experienced a campus demonstration in their areas of jurisdiction (and therefore would not have responded to the foregoing questions), a section of the questionnaire presented hypothetical situations in which all respondents conceivably could become involved. The first problem was phrased as follows:

> Approximately 250 college students reportedly have stormed the administration building, have broken the plate glass doors leading to the main lobby, and presently are holding the dean and two staff members hostage. The militant students proclaim that they will occupy the building until the administration agrees to a list of "mandates." All other students, faculty members, and administrators are refused entrance to the building.

Eighty-six percent of the chiefs of police responded to this situation. The comments generally fell into four categories. First, in 21 instances, the respondents stated that they would take immediate action--without qualifying the conditions--in order to free the hostages and restore peace to the campus. For example, one respondent wrote, "[The department would] clear the campus of all other students not involved, and after reviewing necessary reinforcements, take the building by force, if necessary." Another respondent wrote more bluntly: "All persons involved would be arrested, charged with proper offenses, and jailed." To do otherwise according to another respondent would be granting status to the demonstrators.

Second, in 15 instances, the respondents stated that they would act in this situation only if requested to do so by the college administration. Typical of this response is the comment, "I would await a request from the college authorities that they want the students removed. If they want them removed, I feel compelled to remove them. If the college does not give me the word, I would not take any action." Another asserted: "We would be guided by the University Police--if they ask for our assistance."

Third, respondents in 4 instances indicated that they would take action only after deliberate consideration. Outlining his plan for action, one chief wrote:

> [I would] try to talk to the students and explain the seriousness of holding any person hostage and give them a short period of time to release the person. If this order is not complied with, [I would] use whatever force is necessary to gain the release of the hostages taking all necessary precautions to protect them from injury.

The fourth category includes 1 response indicating a more active police role as mediator.

> I would attempt to discuss the issues with the leaders to determine just what they were demanding. These demands would then be conveyed to the administration. At the same time I would try to obtain the release of the "prisoners." After contacting responsible administrators, I would return the reply to the leaders in hopes that some of their demands were reasonable and could be granted. Also I would attempt to enter into orderly negotiation on the other issues. If the above efforts failed, an administrator would read the Safe School Ordinance and request the demonstrators to disperse. Upon failing to do so, they would be removed.

The second hypothetical situation was phrased as follows:

> Approximately 250 college students march through the downtown area. In the course of the demonstration, a number of store windows are broken out.

Forty-one (80 percent) of the 51 departments responded to this situation. Of these, 27 (66 percent) indicated that their course of action would include the apprehension of the person(s) responsible for the property damage, but that the march itself would not be otherwise interfered with. As one respondent averred, ". . . vandalism or other illegal conduct does not, in my opinion, warrant preferential treatment to student law-breakers."

Eleven (27 percent) of the respondents said that, in addition to arresting those who damaged property, they would disperse the marchers. Typical of these replies is the following:

> The police would be stationed along the streets as close together as possible with the available manpower. The police would move on the group and disperse same with such force as was necessary. If the police could observe any violations of the law the violators would be arrested on the spot and charged with the violation.

Additionally, 3 (7 percent) of the respondents answered in terms that were not explicit--for example, "we would implement a riot plan."

Six questions were asked regarding the two hypothetical situations. First, "In either or both of the above situations, would you consult with college administrators before taking action?" In the first incident 37 (72 percent) of the departments avowed that they would consult with college officials while 6 (12 percent) said they would not. Eight (16 percent) made no response. In the second hypothetical incident, involving an off-campus demonstration, 16 (31 percent) said that they would consult with college officials before taking action, 25 (50 percent) said they would not, and 10 (19 percent) offered no response.

The second question was, "Would you deploy municipal policemen onto the campus without first being requested to do so by college officials?" To this, 21 (41 percent) of the departments responded "no" and 7 (14 percent) registered an unequivocal "yes." Another 18 (36 percent) replied "yes" with the following conditions:

- -- if an offense is involved, by 6 (12 percent) of the departments
- -- if peace and public safety are jeopardized, by 5 (10 percent) of the departments
- -- "in some instances" (not specified), by 5 (10 percent) of the departments
- -- if property damage is incurred, by 1 (2 percent) of the departments
- -- if college officials could not be consulted, by 1 (2 percent) of the departments

Five (10 percent) of the departments did not answer the question.

Third was the question, "If the administration of the college requested that you not send police officers onto the campus, would you under any circumstances ignore such a request? Explain." Eight (16 percent) declared that they would not. "Yes" was the response submitted by 5 (10 percent) of the departments; "yes, under certain conditions" was the reply of 34 (66 percent) of the departments. Included in the latter group were the following conditions:

- -- under "extreme" circumstances, by 18 (36 percent) of the departments
- -- if personal injury is involved, by 6 (12 percent) of the departments
- -- if the law requires such action, by 3 (6 percent) of the departments
- -- if a felony is involved, by 2 (4 percent) of the departments

-- under "extreme" conditions, but only after talking with administrators of the college, by 2 (4 percent) of the departments

-- if firearms are used, by 1 (2 percent) of the departments

-- if asked for assistance by the state highway patrol, by 1 (2 percent) of the departments

No response to this question was given by 4 (8 percent) of the departments.

The fourth question--"In the situation involving an off-campus demonstration, would you hesitate to arrest a college student who violated a civil law (such as disturbing the peace or damaging property)?"--netted the following responses:

-- "yes"--0 (0 percent) of the departments

-- "no"--43 (84 percent) of the departments

-- no response--8 (16 percent) of the departments

Asked if the demonstration's occurring on campus would change this response, the departments replied as follows:

-- would not hesitate to arrest college students by 25 (50 percent) of the departments

-- would not arrest college students, by 4 (8 percent) of the departments

-- would speak first with college administrators, by 8 (16 percent) of the departments

-- would require an official of the university to sign a complaint, by 1 (2 percent) of the departments

The remaining 13 (25 percent) of the departments did not respond to this question.

The final question was: "If a college student were arrested as a result of some act during an on-campus or an off-campus demonstration, would you process the case the same way as for a non-student, or would you refer the student to campus officials for disciplinary action--or both?" Twenty-four (48 percent) of the departments said that the case would be processed the same way as for a non-student; none (0 percent) would simply refer the case to campus officials; 16 (31 percent) would do both. No response was designated by 11 (21 percent) of the departments.

Plans Developed for Restoration of Order

According to the 51 responses to this survey, 60 percent had developed, with colleges in their jurisdiction, a "plan of action" in case of violence on the campus itself. One respondent described a plan developed by his department and college administrators in his area as follows:

> . . . after being notified of a demonstration or sit-in at the University, the police are mobilized, special units are on the "ready" basis, special equipment such as tear gas, riot sticks, etc., are loaded on vehicles that will be sent to the scene, and a command post is set up near the University. Top-level police personnel meet with the administrators of the school and size up the situation. Usually the school administrators prefer to meet with the student leaders to settle the demonstrations. If the situation gets out of hand, but without violence, the city prosecutors are contacted and legal action is worked on. If violence occurs, the city police will enter the campus and restore order, arrest violators, disperse the students, etc.

For the minor type of demonstration (sit-in, meeting, etc.), the University administration prefers that we do not enter the picture until they request our presence.

Another department reported that, if necessary, intelligence officers would (1) go to the scene to report on the character of the disturbance, (2) establish a command post, (3) notify other area police departments, (4) place department personnel on one-hour alert, (5) divide all personnel into 2 12-hour shifts, and (6) create arrest teams of 4 or 5 men each.

One department enclosed a 94-page procedural instruction booklet entitled "Control of Civil Disorder." Included are the following: pertinent state statutes and city ordinances; definitions of such terms as tactical standby, tactical alert, field command post, and crowd control formations; and detailed procedures for controlling various disturbances. With regard to a specific university, the booklet contains the following:

1. University officials will normally contact the Communications Unit Supervisor regarding any police service required at the University.

2. If an officer is contacted independently by a University Official he will take the necessary immediate action and instruct the official to contact the Communications Unit Supervisor. The officer should, as soon as practical, fully inform the Communications Unit Supervisor of the situation.

3. The Communications Unit Supervisor will, when contacted by a University official, fully evaluate the stated situation and immediately dispatch the **requested** police service. He shall:

   a. Notify, and fully apprise: (1) Chief of Police, (2) Assistant to the Chief, (3) Patrol Bureau Commander, and (4) the Duty Watch Commander.

   b. He will establish constant communication with the University official in charge and maintain the liaison until the problem is resolved or escalates.

4. When an officer of the . . . Police Department is dispatched to the campus [because of] an unruly crowd . . . he will follow the lawful dictates of the University official requesting the police service. If the problem escalates beyond the containment capability of the assembled force:

   a. The University official will formally relinquish command of the situation to the Police Supervisor on the scene.

   b. The Police Supervisor will then follow the dictates of the department Civil Disorder Procedural Instruction.

Another department forwarded a copy of a memorandum addressed to the faculty at a local college. Written by a key administrator at the college, the memorandum reflected "the working relationships which exist between Campus Security Department and the Police Department." It recognized the fact that the campus "does not provide sanctuary from public law." General policies and specific instructions were presented as follows:

I. GENERAL POLICIES:

A. All members of our faculty and office personnel are urged to immediately provide the central administration (through the Office of Executive Vice President) with all information which reaches them concerning impending

trouble of any kind that may involve the campus. Persons are urged to send us any suggestions they may have on ways to improve communications and to better safeguard college operations.

B. In the event of an actual disturbance, the faculty or staff person in charge of a classroom, activity or office should assume responsibility for leadership. Authority and attempts to solve the problem should be asserted through professional means--by persuasion rather than physical force or counter-violence. The person in charge should similarly advise students against attempting to confront disrupters physically. When physical force is necessary, it should be applied by security personnel. It is important to note that, in cases of physical conflict or assault, it is customary for all parties involved to be taken into custody. For these and other reasons (liability, etc.), physical action should be left to experienced peace officers. However, precise observation of violators should be encouraged to enable subsequent identification, and precise reports must be filed with the Office of the Executive Vice President or the Chief of Security as soon as possible.

C. Faculty, staff or office personnel should assume responsibility for instantly reporting any illegal activities he has observed or which he believes are being committed. Where a disruption or other violation is observed in classrooms, halls, or elsewhere on campus, witnesses should immediately make written notes of details--location, time, full description of the event, identification and/or description of offenders, etc. Photographs are especially useful evidence whenever they can be obtained. Campus security performs some photography for record. Names and addresses of witnesses should be recorded. Observers must be ready to sign complaints and to bear witness to assure that campus regulations and law can be enforced. Substantial evidence of this kind is required before either the college or the police can bring action against offenders. Just as we cannot allow infringement of students' rights through cheating on exams, we cannot allow infringement of other basic rights to occur elsewhere on the campus. In the final analysis, it is the faculty, staff and student body of our campus which possesses the prerogatives for assuring the integrity of our institution and its programs. We must exercise these prerogatives. The police cannot do it for us although they can assist us.

II. SPECIFIC INSTRUCTIONS:

A. Report all **crimes of violence** against persons or property directly to the Campus Security Office day or night at Extension _____ (or ask the campus operator to dial the Security Office for you).

B. All **precipitous emergencies**, fire, explosion, need for resuscitator, etc. reported directly to _____ [telephone number of local fire department].

C. In the event that the above offices do not answer during the day, dial Extension _____, the Executive Vice President's office, where assistance will immediately be provided in placing the proper call.

D. When disruption is clearly threatened or imminent, it should be reported immediately to Security and the Executive Vice President. After reporting,

each instructor must evaluate specific circumstances and act as he deems appropriate. This could include locking doors to offices, classrooms, laboratories, and buildings as long as the doors open from the inside in accord with fire regulations.

E. If disruption occurs in a class, the instructor should take whatever steps are necessary to get a message to Campus Security through phone Extension _____. The call should report the exact location of the incident by building, floor and room. The name of the reporting instructor and class should also be given. After a disruption, write a report as described in Item D., and file with Security and with your department chairman, who will forward it to Executive Vice President's office.

F. Colleagues, particularly deans and secretaries, and department chairmen, should cooperate and where necessary provide mutual assistance, to assure that potential problem situations are identified and reported quickly.

G. The instructor is in charge of his classroom. Any persons requesting entry to any classroom for whatever purpose can be expected and required to produce their ID card, student card, or other appropriate means of specific identification. Without appropriate identification, they should be asked to leave. Where disruption of a class is occurring in defiance of the instructor's authority, all students present should be called upon to observe the persons carefully to assure that disrupters can later be positively identified and that charges can be filed and action taken against the disrupters.

H. All reports of law and campus regulation violations should be filed with your department chairmen and with campus security officers as soon as possible to enable prompt response and appropriate action.

I. All faculty members and office personnel should take personal initiative to inform themselves of the location of fire extinguishers in the vicinity of their classrooms and offices.

K. It should be noted that the sidewalks and boulevards which mark the perimeter of our campus are under city jurisdiction.

Thirty-two percent of the respondents indicated that they have developed plans, in cooperation with college officials, to handle violence involving college students off-campus. No specific examples, however, were included with the returns.

Eighty-four percent of the respondents said they had maps of each campus within their jurisdiction; 12 percent said they did not; and 6 percent made no reply. It was further revealed that 40 percent of the departments had floor plans of various campus buildings, 54 percent did not have them, and 8 percent did not answer the question.

Police Perceptions of Student Unrest

The questionnaire provided for additional comments regarding student unrest. Thirty-three (65 percent) of the departments proffered comments. Representative of a conservative stand was the following statement:

> We need a get-tough policy calling for immediate dismissal of left wing students and professors. I have talked to university students who complain that certain faculty members brainwash the conservative students to the point that unless they conform with the instructor's feelings toward [the] Left, they are dropped from classes. Therefore, they conform.

> We must have rules and regulations that all are required to respect and if they don't like the rules at the particular university or college [where they are enrolled], they can go somewhere else.

Another respondent blamed the unrest on "an international conspiracy" with supportive funds coming from several foreign governments. To this was added the following:

> I believe that the police should be called on campus immediately, with enough men to disperse trouble-makers and let them know that you mean it. This is serious business--not to be taken lightly such as the old-fashioned "Panty Raids." Force should be met with force necessary to subdue these rabble rousers whose only wish is to destroy law and order and thereby undermine the peace and tranquility of this great country.

After citing opposition to the Vietnam War and advocacy of student participation in curriculum development as major reasons for student protest, one respondent stated:

> The majority of the students on the campuses are law abiding citizens. Their views and ideals are sound and constructive. They wish to see the educational structure modernized to fit today's needs, and they wish to become a part of the administration . . . . Educational systems like other governmental systems must keep pace with our rapidly changing world, or they cease to be functional. The administrators of our colleges need to be men of strength, willing to listen to all reasonable requests or grievances of their students. There should be carefully chosen student groups, chosen by the student body, to present their ideas and grievances. There should be a peaceful confrontation between students and administration to settle differences. Nothing is gained, to the benefit of both, by appeasement brought about by violence. Appeasement often brings on more demands followed by more violence to gain a point in disagreement.
>
> To disagree and dissent is a privilege and demonstrations and protests are ways of voicing disagreement and dissent. Protests and demonstrations have become a way of life in recent years. Peaceful demonstrations and protests are a healthy means of communication, but when the protest or demonstration reaches a point of violence or destruction of property, private or public, no longer should it be a line of communication. When the demonstrator, be he student or other, invades the campus or buildings on the campus and takes over such buildings or disrupts the orderly functions of the institution, he should be removed with force if necessary and prosecuted for the violation of any existing law. Students are citizens and are subject to the same laws and regulations as other citizens and should be treated as such.

The need for extensive police training for possible campus confrontations was recognized by one respondent who charged, "Dollars should not be spared to properly train and equip this force."

Speaking for another department, one person wrote:

> Infractions of rules of courtesy and common decency should be handled by university officials with punitive action up to and including expulsion.
>
> Outright violations of Federal, State, or Municipal laws should result in immediate arrest, trial, and conviction the moment they occur without temporizing by university officials or pretending the violations did not occur. We either prosper as a nation abiding by the law or we perish under anarchy. There is no room for appeasement.

One police chief asserted, ". . . the answers to violence and permissive conduct have long been in the literature from Plato's **Republic**, Toynbee, Spengler, and Eric Hoffer. The weakness of a government or an institution inevitably brings about unrest, revolution, violence, and the other ingredients of a failing society."

Another spokesman replied:

> Firm but fair treatment is a must. Students should know where they stand by being advised of the intent of [law enforcement] officials when they enter schools. Unnecessary use of force alienates students not initially involved, so law enforcement officials must be firm but fair and use only the amount of force necessary. We should recognize the possibility of outside manipulation and maintain proper intelligence sources to be forewarned of possible unrest. Dialogue between enforcement personnel and students should be established to lessen the impact of "police on the campus."

A specific plan of action was offered by one department. This would include (1) establishing close liaison with the school administration and student government, (2) making clear the police action that would be taken in certain instances, (3) avoiding the use of uniformed police on campus where practical--without cloaking such a practice in secrecy, (5) avoiding "martyr" arrests, (6) photographing demonstrators who commit violations, (7) obtaining written complaints, and (8) making arrests.

Conclusions and Recommendations

Generalizations drawn from the above findings are not necessarily applicable to all law enforcement agencies and to all colleges and universities in all states of the union. Every institution of higher learning and every law enforcement department must respond to incidents of campus disorder on an individual basis. Certain conclusions and recommendations, however, appear to be appropriate, and are presented as guidelines for solving and preventing future acts of disturbance on college campuses.

Conclusions

The responses of police spokesmen reflect at least two major conclusions. First, although reluctant to intervene in campus affairs, public law enforcement officers will do so if a clear and present danger to life or property is discerned. According to these respondents, college campuses are not sanctuaries from the law; there is no less an obligation, they feel, to maintain law and order on campus than off.

Second, it is apparent from many of the responses to this survey that public law enforcement officials consider themselves as allies--not adversaries--of college administrators in the pursuit of reasonable and workable solutions to campus disorders. They desire more cooperative ventures with college officials in planning for a quick and peaceful restoration of order to the campus community should violence erupt.

Recommendations

Given the desire and ability of public law enforcement officials and college administrators to mutually design and develop plans to minimize the chances for violent demonstrations on campus and to maximize the efforts to restore peace and order to the college community if all else has failed, what specific steps should be taken?

Undergirding the entire matter of demonstrations on campus is the need for improved educational administration. Many--perhaps most--demonstrations would never occur if administrators would take necessary steps to insure open channels of communication (between administrators, faculty members, students, the public, and the governing board); to restructure the curriculum and methods of instruction so as to

make education more relevant to the interests, needs, and abilities of students; to include student and faculty representatives as voting members of major committees such as finance, curriculum, and faculty appointment; to establish an effective community relations program to help alleviate community tensions, apathy, and misconceptions; to review and revise campus regulations in order that out-dated and constitutionally unsound rules could be discarded or replaced with legitimate ones; to revise admissions standards, particularly with regard to minority and educationally deprived students; to establish sound procedural due process for the handling of disciplinary matters; and to establish and maintain a viable campus law enforcement agency based on the concept of public safety.

Administrative leadership in these areas is no easy task, nor does success in all of these areas insure a peaceful campus setting. It is, of course, assumed that the superior course of action in time of emergency is to adequately cope with the situation without calling on outside resources. However, plans for the employment of non-campus police should be considered. Recognizing the nation-wide popularity of campus demonstrations for just and unjust causes, college administrators should devote attention to emergency steps that should be followed if their campus becomes embroiled in violence. Recognizing, too, the reluctance of public law enforcement officers to intervene in college affairs, college administrators should take the initiative in contacting non-campus police for the purpose of implementing a "Riot Prevention and Control Plan" for the academic and local communities.

In addition to the college president and the local chief of police and/or the sheriff, the following persons should be included in these sessions: the head of campus law enforcement, the dean of student affairs, the physical plant administrator, the college public information officer, a lawyer who can or does represent the college, and a prosecuting attorney from the city or district attorney's office. In some of the sessions, other persons from the faculty, student body, and surrounding community might be involved.

Specific duties and lines of responsibility for college administrators, faculty members, student leaders, campus police, and non-campus police should be delineated. Advisement of the legality of all proposed procedures and judicial requirements for the settlement of any confrontations should be made by the lawyers attending these meetings. Among scores of matters to be decided are:

1. Who shall determine whether a campus demonstration has become violent and uncontrollable?

2. Who shall call for outside assistance whenever such a determination is made?

3. Under what circumstances shall or will outside forces decide to take action even though they have not been contacted by campus authorities?

4. What means of communication, such as a "hot line," should college administrators and police officials arrange?

5. If the person responsible for notifying others of an impending or on-going riot is unable to give such notice, to whom and under what circumstances does this responsibility fall?

6. What legal remedies--such as injunctive relief--should college authorities consider using immediately prior to or during a campus demonstration?

7. What evidence is required for the prosecution of unlawful acts on the college campus?

8. If a command post for public law enforcement officers should be erected on campus, where should it be placed?

9. Who is in charge of the situation after the non-campus police enter the campus?

10. What are the most vulnerable locations for disturbances on campus, and how can they be reached by officers of the law?

11. What measures should be taken to keep the public accurately informed about the nature of the disturbance and remedies being attempted?

12. Should photographs of demonstrators be taken for possible use in subsequent litigation?

13. What equipment or apparatus, such as loud speakers, should campus authorities purchase for use during demonstrations?

14. Are maps of the campus and floor-plans of all buildings available to public law enforcement officials?

15. Are all sections of the campus accessible by police and fire vehicles?

16. What should the role of plainclothesmen be on campus before and during any disturbance?

17. What problems are encountered by non-campus agencies in mobilizing sufficient personnel for a tactical alert?

18. What types of simulated situations and role playing should this emergency team participate in, if any?

Once developed, the emergency plan should be reviewed periodically. New buildings will be added to the campus and old ones razed (hopefully apart from campus demonstrations); new administrators and police officials will replace some of those who helped formulate the original plan; and others, in time, may simply forget their specific responsibilities.

A riot plan is hardly a panacea for today's troubled campuses. But an effective plan, developed prior to the heat and passion of open confrontation, could prove to be the difference between competent and incompetent reaction to violence on campus.

PROFESSIONAL CAMPUS LAW ENFORCEMENT: RESPONSIBILITY OF THE ACADEMIC COMMUNITY

Edward T. Kassinger

Apt emphasis is given in the 1970 report of the Special Committee on Campus Tensions of the American Council on Education to the need for faculty, students, and administrators to join in a shared commitment to internal governnance lest others with little or no understanding and academic concern assume responsibility for the governance of educational institutions. The reasons upon which this recommendation is based, of course, result from the analysis made by the Linowitz Committee of the reasons for disruption and disturbances of one kind and another in academe. These reasons in themselves provide a sound basis for free thinking administrative concerns. But, placed in this frame of reference, they are, in a sense, a defensive response to the problem.

Academic excellence should be the objective of any academic institution. The mark of institutional academic excellence (as contrasted with academic excellence in one particular discipline) cannot be achieved merely in the classroom or through the research facilities but must include all support levels. A university which boasts of a College of Education without peer yet has known teaching weaknesses in other disciplines or a university with an outstanding College of Business Administration which institutionally employs antiquated systems of inventory controls and budget procedures has a questionable claim to institutional academic excellence. The tremendous growth in modern universities and colleges has resulted in the development of small and large urban communities. The institutional recognition of the problems of providing model systems of governance to include exemplary concern for the civic, social, and business needs of such communities must remain an objective of college administrators. "Do as I say and not as I do" cannot be the cry of an educational institution effectively petitioning for funds from the state legislature, alumni, or other sources of financial support.

In the immediate concern, that of public safety, the institutional role must be directed at providing for support performance directed at preserving and fostering the achievement of an academic community in which there is a sense of pride and determination in maintaining a suitable climate for teaching, studying, researching, and serving the community.

In bringing 5,000, 10,000, 50,000, or more individuals into an academic community, social and civic problems of a public safety nature will be created. A "security force" cannot appropriately deal with these concerns. It is difficult to understand why so many academic communities persist in the perpetuation of the "security concept" with its implications of restrictiveness. But perhaps it is a carryover from the days of in loco parentis when institutions of higher learning assumed the posture of a sanctuary in which the laws of the land were aborted through the application of administrative procedures in contravention of the laws of society. It is possible too, that it represents a form of academic snobbishness in which there is self-perception that persons in the academic community (with the possible exception of "the laboring type" or "in the case of serious crimes") are beyond the realm of neighboring civil courts.

All communities have crime! The temper of the times is such that the educational institution which fails to recognize and deal with the reality of criminal acts within the academic community can look for a failure of support from state

legislative bodies, alumni, and other resources. Whether for selfish reasons relative to the preservation of financial support or for the more worthwhile, idealistic reason that academic communities should lead the way, the indications are clear that the law enforcement problems on campuses must be met in a more realistic fashion than heretofore.

The challenge is obvious. There is an absolute need on the part of each institution to recognize the need for professionalization in the area of law enforcement on campus. Professionalization must be pursued diligently in order to maintain institutional academic excellence. Through professionalization of the law enforcement function, the university or college can destroy the myth of an island having "security" against the criminal acts that purportedly do not occur and, at the same time, provide, without pretext, law enforcement and community relations services appropriate to the recognition that today's university and college is for all practical purposes an urban community.

Professional law enforcement capability is built on the principle that 90 percent of the functions of a qualified law enforcement officer or agency are dedicated to service. Ten percent or less time and effort should be spent on actual enforcement of law. Of primary concern to a campus law enforcement agency should be the objective of full participation in the achievement of the calm but vibrant atmosphere in which true teaching, real research, and effective community services result. The service provided should be a wholesome one in the pertinent sense of the word--dedicated to the whole of the community. The law enforcement function should not merely be an instrumentality of administration except through the evenhanded community law enforcement service provided to students, faculty, staff, employees, and visitors.

By provision of model law enforcement capability, the academic institution should serve as an instructional medium by reason of example in performance of duties which off-campus law enforcement might well emulate. By providing true professional law enforcement to the campus community, rapport and respect can ensue and can result in the support of the law enforcement function in time of crisis and the elimination of the frictions which exist on many campuses.

Retention of the support of the majority of the student body, the largest segment of the academic community, can be achieved only by building confidence through familiarity and respect for the institution's own professionally trained law enforcement component. There is no reason why the objective for such a law enforcement concept should not be the development of a feeling of pride on the part of the student body, a feeling of pride similar to the one generated for athletic teams or other university or college activities.

There is another firm and realistic objective involved in the elimination of the security syndrome and the substitution of a campus law enforcement agency. Simply stated, it is that campuses daily deal with a population 90 to 95 percent of which consists of that age group which criminal statistics pinpoint as responsible for 85 percent of the crimes committed nationally. This is the age group accustomed to the cry of "pigs" or "fuzz" or other derogatory references to law enforcement officers.

It appears that a valid goal or objective of the academic community would be to demonstrate to youth how a professionally trained law enforcement officer should serve the community. These same young people, in a few short years, will be alumni and will have assumed positions of leadership in their communities. They are the ones who will be active as citizens, voters, and possibly elected officials. Is it not a university or college function to provide students the opportunity to develop a firm impression of what a dedicated, service-oriented, and professionally trained law enforcement agency can do for a community? If the institution law enforcement agency provides a

competent, model law enforcement capability in the academic community, then these same students, upon departure from the campus community, can demand similar programs in the communities in which they take up residence.

It would appear that a pertinent goal and objective of academic institutions is to achieve in these turbulent times a model, professional campus law enforcement agency in support of educational institutional claims of overall academic excellence. Recruit and in-service training is an important step in achieving professionalization. A suggested curriculum guide for such a program follows.

1. Orientation Programs
   a. Law enforcement philosophy
   b. Proper note taking
   c. University rules, regulations and policies as they affect campus law enforcement
   d. Campus law enforcement; rules and regulations
2. Community Relations
   a. Personal appearance, conduct and etiquette
   b. Law enforcement relationships with
      . . . Student body (including discussion of student government; identification of student leaders for purposes of better rapport)
      . . . Administrators (identification of administrators; responsibilities and general indoctrination with regard to administrative organization and responsibilities of various departments of the administration)
      . . . Faculty (identification of leading academic personnel; responsibilities, proper manner of contact, etc.)
      . . . Alumni (university concern with alumni relations, etc.)
      . . . General public
      . . . Other law enforcement agencies including federal, state, county, and municipal
3. Criminal Law and Related Subjects
   a. Criminal law
      . . . Laws of arrest
      . . . Searches and seizures
      . . . General constitutional requirements with regard to due process and legal warnings
      . . . Laws of evidence
      . . . Laws relative to search for concealed weapons
   b. Discussion of civil rights
   c. Administration of criminal law
4. Criminal Investigations
   a. Proper method of recording complaints regarding alleged criminal acts
   b. Report writing
   c. Assaults
   d. Automobile thefts
   e. Burglary
   f. Collection of evidence

g. Injury and death investigations

h. Interviews and interrogations

i. Robbery

j. Sex crimes

k. Larceny and stolen property

l. Scientific aids

m. Fingerprint evidence

n. Vice investigations

o. Drug abuse

p. Forgeries

5. Patrol Procedures

a. Foot and motorized patrol in crime prevention and detection

b. Arrest and control of vehicle occupants

c. Proper manner of handling disturbance and felony-in-progress calls

d. Recognition and handling of abnormal persons

e. Driving under the influence cases

f. Field note-taking and crime scene recording

g. Crime scene procedure

6. Traffic Control

a. Traffic direction techniques

b. Citations for violations of traffic ordinances

c. Traffic laws applicable to campus

d. Accident reporting

e. Accident investigation

f. Motor vehicle inspection law

g. Hit and run investigations, including gathering of evidence in such cases

7. Court Procedure

a. Court room demeanor

b. Simple rules of evidence and testifying in court

8. Juvenile Procedures

9. Defensive Tactics

a. Arrest techniques

b. Defensive techniques

10. Personal Skills and Specialized Training

a. Firearms training

b. Proper use of auxiliary equipment including handcuffs and other restraining devices or protective equipment

c. Crowd control

d. Fire prevention and control

. . . Campus

. . . Buildings

. . . Automobiles

e. First Aid

f. Social Problems in the Campus Community

In addition, superior campus law enforcement officers should have familiarity with the following: history and philosophy of law enforcement; public opinion, the press, and the police; the criminal justice system; law enforcement ethics; professionalization of the law enforcement function; government organization at local, state, and federal levels; organization and jurisdiction of federal, state, and local law enforcement agencies; theories of crime and delinquency causation; probation and parole systems; crime prevention and education; psychology of crowds and mobs; ethnic groups and subcultures; and the individual officer's contribution to police community relations.

CAMPUS LAW ENFORCEMENT AND STUDENT AFFAIRS: A DEFINITION OF ROLES

O. Suthern Sims, Jr.

Historically, it is impossible to discuss the role and function of campus law enforcement without veiwing also the role and function of the office of the dean of student affairs. Practically speaking, the two were synonymous for many years. Prior to the 1960s, student affairs was, in the minds of students, campus law enforcement; and campus law enforcement was the wide distribution of traffic tickets and the fine art of night watchmanship.

Many organizational structures reflected this, if not in theory, in practice, for student affairs deans were expected to collect traffic fines; and in reality the "Campus Cops" reported directly to the dean in all matters dealing with students. The charge, prank, misdemeanor, sometimes felony, was discussed with the dean for appropriate action. This, of course, was basically proper action, due to the theory of in loco parentis. This does not mean that all students or all educators liked that doctrine, but the courts had upheld the right of the college to act in loco parentis. However, things changed and in loco parentis died in 1961 with the landmark court case of **Dixon vs. Alabama**. Colleges and universities have been burying it ever since. It has indeed had a long funeral! The death of in loco parentis, the cry of students for full citizenship in the academic community, the sophistication of entering freshmen, recent court cases concerning the procedural aspects of student discipline, and the demand for law and order all compel student affairs and law enforcement personnel to redefine their roles. The dean of student affairs can no longer be educator, administrator, law enforcer, representative of the administration to students, and interpreter of student requests to the administration. College law enforcement personnel can no longer settle for involvement only in the strategic placement of sawhorses on Tucker Drive or the operation of a night ambulance service for coeds.

The respective groups are involved in seeking to effect an image change. Neither is satisfied with its image in the academic or outside community. Student affairs personnel are not policemen; they are student development specialists––educators. College law enforcement personnel are not just delivery boys and night watchmen. They are, or should be, professional campus law enforcement specialists; and they, too, should be educators.

Student affairs and campus law enforcement personnel have at least one motive in common. Both want to provide services and educational programs to the academic community. If both expand and develop this motive, they will transform their images in the academic world. What then are the prospects for campus law enforcement personnel and student affairs? A definition of roles for campus law enforcement and student affairs should entail at least the following:

(1) **A written rationale with precise and lucid objectives of the departments.** This sounds elementary and is, but few have such a document. The rationale and objectives should be tailor-made for each individual institution and should be placed in the total complex of higher education. Campus law enforcement should be chiefly concerned with service to the academic community in a public safety model. Such a model would provide service in at least a three-fold way––(a) service in the form of a police department, one that is trained to investigate as well as patrol; (b) safety services such as accident reporting, fire inspection, and correction of fire

hazards; (c) staff services such as traffic control, traffic appeals, design of new parking facilities, and study of campus traffic flow. Institutions of higher learning exist because students are there, and they have an obligation to provide services for them. If the students leave, so must the faculty and staff. Students today are vitally concerned with a total commitment to community--the involvement of all members in the various decision-making processes of the university. When college and university administrators begin to think in terms of service rather than restriction, then perhaps there is a basis from which a true community can be shaped.

It would seem that in today's higher education institutions student affairs professionals have at least two primary objectives. One is to provide services such as placement, financial aid, health, testing, counseling, admissions, orientation, registration, housing, and student activities. Equally important is the educational program emphasis in each of the service areas named. Programs should be geared to the developmental needs of the students. To provide services without educational programs is to give credence to those who claim that student personnel staff members are simply administrative mechanics and restrictors of student freedom.

(2) **The employment of intelligent, well-motivated, and professionally trained personnel.** The entire campus law enforcement department should possess or be in pursuit of a bachelor's degree. This is the minimum union card in the academic community. Campus law enforcement personnel will cease to be step-children in the community only when they are able to compete academically. It is easy to understand why some youngsters become provoked when dealing with some campus law enforcement officers. When officers act on the basis of ego, emotion, and stupidity, as opposed to reason, temperance, and knowledge, it is no wonder that students condemn all officials of law enforcement as being blind, dumb, and brutal.

There ought to be somewhere in the world where everybody has at least an opportunity to view a model of everything. The campus is generally considered to be that place. It cannot solve all of the problems of the universe, but it can and does provide models of just about everything that, hopefully, students can emulate and transfer into the broader society when they graduate. This can certainly be the case with campus law enforcement. If students learn what good, effective, efficient law enforcement is during their four or more years on campus, they are more likely to demand and be willing to pay for efficient, clean, and honest law enforcement in their own communities. If law enforcement is a farce to them during four of their formative adult years, it stands to reason that they are going to continue to feel the same way about law enforcement after they graduate. Campus policemen are operative in an academic climate. They have no choice but to teach by example. They are educators through their service function. The question is, are they prepared for the responsibility?

Traditionally student affairs personnel have come from practically every academic field and frequently have possessed only baccalaureate degrees. They were considered tangential to the academic process, and perhaps to some degree that attitude still persists. As long as they are perceived as service-station attendants and disciplinarians, they will have difficulty in linking their skills directly to the educational endeavor. Student affairs staff people must be academically qualified and should hold academic ranks in a department if at all possible. When feasible, they should teach courses, serve on faculty committees, and involve themselves in the total life of the academic community.

(3) **A clearly defined document spelling out in detail the authority of the law enforcement department and the authority of the office of the dean of student affairs.** This memorandum of understanding is a must! Since the two offices have had a close association through the years, it is

mandatory that lines of differentiation and authority be drawn and precisely followed. Students today are asking to be treated as adults, and they should be. The campus is not a sanctuary. The laws of the federal, state, and city governments apply to students. Students do not lose their constitutional rights when they enter an institution of higher learning, but neither do they receive immunities from the laws of the land. It is imperative that there exist a mutual respect and understanding between the offices of the dean of student affairs and campus law enforcement. In loco parentis subtly lingers on in many colleges and universities because student personnel deans assume that campus law enforcement officers do not have the training or judgment to properly handle the cases that come before them. Where this situation still exists, "campus security" feels that the old dean is "protecting" the student and inhibiting the proper function of the law. This, of course, is an intolerable arrangement, and the end product is total confusion and disrespect for both offices by the student.

When the campus police department arrests a student, the office of the dean of student affairs should be able to feel that it has been done in a professional and educational manner. If a student is arrested in his residence hall room, assurance should be given that a search warrant has been duly authorized and that the student has been apprised of his rights. That is good procedure and good law enforcement education. These procedures should be spelled out in advance in writing. The department of public safety performs law enforcement functions. Student affairs personnel do not! They are official representatives of the law. Student affairs staffs are not! Student affairs professionals are kept informed and seek to advise the student as best they can, but they should not involve themselves in the actual procedures of law enforcement. *There are, of course, some fuzzy areas, but that is what the "memorandum of agreement" is for--to determine what is in the jurisdiction of the office of the dean of student affairs and what rightly falls under the jurisdiction of law enforcement. Such a memorandum would explain that campus law enforcement officers should be charged with the basic responsibility of insuring that laws of the state are enforced with regard to all persons on property utilized by the university or college. All violations of law occurring on the property owned by the state should be investigated in an objective, unbiased manner after which the findings are presented to the appropriate prosecuting official for action. The investigating officer would be required to file a written report of his findings and of the resulting prosecutive opinion received from the solicitor or district attorney. If the prosecuting attorney is of the opinion that no prosecution is feasible, the facts would be spelled out in a written report form.

In the case of alleged criminal offenses by students, the procedures would be identical in that "all persons" includes students, as well as anyone else committing violations of state statutes on campus. However, in the case of students who are identified as perpetrators of a prosecutable offense, the appropriate student affairs officer would be immediately notified. Any further information developed relative to prosecution being instituted or arrest following should be brought to the attention of that office without delay.

In the event of a declination by the prosecuting official after an investigation had indicated the perpetrator of an offense was a student, the office of student affairs should be furnished a complete report, just as would be the case had the matter

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* The succeeding paragraphs are extracted from pp. 34 and 35 where a more detailed discussion of the memorandum of agreement can be found.

been prosecuted by the district attorney. The campus police office would then take no further action in the matter. Remaining action to be taken should rest with the office of student affairs. Student affairs could initiate, if appropriate, action through student judiciary procedures. In the event of student judiciary proceedings, the campus law enforcement officers investigating the alleged violation and the evidence gathered would be made available for presentation in courts of the student judiciary. The officers would be required to testify and present such evidence in an impartial manner as they would in state court.

In the memorandum, student affairs officers must be made responsible for insuring that campus law enforcement is immediately advised of the receipt of any information indicating a possible violation of law. Student affairs would take no further action. Conversely, the campus police officer would be required to advise immediately personnel in student affairs of the receipt of any information indicating the occurrence of an incident which was the primary concern of student affairs; and campus police would take no further action.

The clearcut distinction between felony violations of the law and violations of non-academic rules and regulations should present no problem. However, infractions within the misdemeanor area are frequently matters of judgment as to whether prosecution should be handled in the civil courts or by the appropriate campus judicial body. For instance, a book theft on campus is a violation of law; but the local solicitor or district attorney is usually not interested in handling such matters (due to the volume and gravity of matters of interest to the broader community). To let book theft go unnoted, however, would make for poor education and poor citizenship. The same is true of matters involving campus disturbances, academic dishonesty, student housing regulations, and financial responsibility to the college.

The memorandum of understanding would be based on the following assumptions:

1. In loco parentis is dead as a viable alternative in administering student discipline.

2. A complete separation of operational functions should exist between student affairs and campus law enforcement in dealing with violation of local, state, and federal laws on campus.

3. Professionalization of campus law enforcement should be in progress.

4. Student affairs personnel should view themselves as student development specialists and educators.

(4) **The complete support of the president of the institution.** Unless such support exists for both student affairs and campus law enforcement, the above assumptions will simply be illusions. There must be not only moral support but also financial support. A $3,000 a year patrolman cannot adequately go into the residence halls to discuss innovations in campus law enforcement. The students would literally eat him alive. An ill-educated student affairs staff member cannot expect to be treated as an equal by the faculty.

In summary and conclusion, some attempt has been made to briefly define the different roles of campus law enforcement and student affairs. Hopefully, these ideas are applicable to the two-year institution with small staffs and to the large university with many personnel. The number of staff is not nearly so important as the acceptance of the idea.

APPENDICES

PRACTICAL PROBLEM NO. 1

CAMPUS LAW ENFORCEMENT PROFESSIONAL ETHICS

In order to increase the level of professional standards within the campus police department and at the same time demonstrate a professional outlook to the academic community and the citizenry, a departmental policy is developed that prohibits the receiving of gifts or gratuities by any member of the department. As a result, several well known citizens of the town and gown communities who have given items to all of the officers at Christmas time feel rebuffed and angry with the decision.

QUESTIONS AND ISSUES:

1. Is the order rescinded so that these individuals can be placated?
2. How is the "free cup of coffee" at the campus snack bar handled?
3. What is done when an individual donor leaves a gift without taking "no" for an answer or when he makes a scene?
4. What is the policy regarding the large local department store that has an arrangement for providing a substantial discount to all policemen?
5. What instructions should be given to campus policemen who find themselves in the company of police officers from adjacent agencies who have no gratuities prohibition and who may make remarks about favors gained by restaurants, clothing establishments, and the like?

PRACTICAL PROBLEM NO. 2

TOWN–GOWN LAW ENFORCEMENT RELATIONSHIPS

A racially oriented disturbance has occurred in the city in which a college is located. The city chief of police requests assistance from the head of the campus police and in accordance with established procedure, two squads of men (six men and a sergeant for each squad) from the campus police department report to city headquarters.

After arrival, the officers from the campus are assigned to details with city policemen and placed aboard buses for transmittal to the areas of the disorder. While enroute to the scene of the trouble, several city officers beat on the outside of the buses through open windows with their nightsticks and shout derogatory comments at citizens.

QUESTIONS AND ISSUES:

1. What instructions should the sergeants from the campus police department give to their men at this time?
2. What instructions should the sergeants from the campus police department give to the city policemen at this time?
3. Should the sergeants from the campus police department take immediate steps to make the head of campus police aware of their observations?
4. Upon receipt of this information, what action should the head of the campus police take with the chief of the city police department and with his own men?
5. Should the campus law enforcement agency have an agreement to assist city policemen in non-campus disturbances?

PRACTICAL PROBLEM NO. 3

CAMPUS LAW ENFORCEMENT INVESTIGATIVE PROCEDURES

At approximately 3:00 p.m., Ben, a residence hall student contacted a campus police officer by telephone and advised him of a conversation with Joe, another student. Joe had advised Ben that he could purchase LSD for him. Ben wanted something done about the drug abuse activity in the residence halls and offered cooperation in developing further information. However, he advised that he would need money if he was going to make a purchase of LSD.

Later in the day, Ben recontacted the officer and advised him of an additional conversation--to the effect that the LSD was available if he wanted to buy it. The officer provided Ben with five $1.00 bills, recording the serial numbers. He then searched Ben to insure that he did not have drugs on his person. This was about 1:20 a.m. At 5:30 a.m., Ben recontacted the police officer and gave him a razor blade box with one small white tablet in it. Ben explained that he and Joe had gone to another residence hall and that he waited in the lobby while Joe went to one of the rooms. Upon Joe's return he gave Ben the tablet, described it as "acid" (LSD) and advised him that he had bought it for $3.00 from Charles in Room 101 in the residence hall.

Shortly thereafter campus police officers arrested Joe in the residence hall and took him along with Ben to the campus police office. After Joe was advised of his Constitutional rights and acknowledged that he understood them, he was interviewed, at which time he confirmed the purchase of LSD from Charles. He furnished a written statement to this effect.

A search warrant was applied for by the campus police officers on the basis of the foregoing, authorizing a search of Charles's room in the residence hall. Upon arrival, it was discovered that Charles was not present and the officers proceeded with the search in the presence of two representatives from the housing department. Twenty-one tablets of LSD and various other drugs were located, concealed in various places in the room. Before the search was concluded, Charles arrived. He was arrested and searched and the three $1.00 bills, previously identified by the officers by serial numbers, were found on his person. He was charged with violation of the state drug abuse control act in regard to both possession and sale of LSD.

QUESTIONS AND ISSUES:

1. Should campus police, as sworn peace officers, accept and act upon confidential information furnished by a student relative to drug abuse activities in residence halls facilities?

2. Is it advisable to have representatives of the housing office present when officers conduct a search of a residence hall room?

3. Was it wise for the officers, after obtaining admissions from Joe, not immediately to proceed to Charles' room, on the basis of the probable cause presented, keeping in mind that procurement of a search warrant took over an hour during which time Charles could have removed the evidence?

4. What should be the role of the office of the dean of student affairs?

5. Should Joe and Charles be tried in the city court **and** subjected to campus disciplinary proceedings?

PRACTICAL PROBLEM NO. 4

STUDENT CONDUCT AND CAMPUS LAW ENFORCEMENT

The campus police were summoned to a fraternity house on university property where the local fire department was extinguishing a fire in one of the rooms. The state fire marshal was also called, and the campus police assisted in the investigation. On the following day the campus police interviewed officers and members of the fraternity only to find that no one was able to explain how the fire started. In another part of the investigation the campus law enforcement agency made an inventory of college housing property and personal property that was damaged.

While the police continued their investigation, a group of students presented themselves to the office of the dean of student affairs to accept responsibility for the fire, which they admitted setting as a prank. They also requested that the dean intercede for them to prevent criminal prosecution. They had already contacted a lawyer and the dean instructed them to meet with campus police and to give them all the information they had. On his advice the four students contacted the investigating officer and explained that, as a group, they had poured a flammable substance under the door and ignited it. They refused to be any more definite in assigning responsibility.

QUESTIONS AND ISSUES:

1. Should student affairs personnel be involved in soliciting assistance from fraternity officers?

2. What is the responsibility of student affairs personnel when students admit to apparent criminal activities?

3. What are the responsibilities of the fraternity officers in discovering the guilty parties?

4. Should the college pursue criminal prosecution or should this be handled as a matter of misconduct?

5. If both criminal prosecution and college judicial proceedings are instituted, which should take precedence?

PRACTICAL PROBLEM NO. 5

OUTSIDE LAW ENFORCEMENT AGENCIES AND THE QUESTION OF COMPENSATION

In planning to cope with disruptions on campus it becomes obvious that the campus police force by itself has limited capability. Disruptions of any magnitude beyond the department's capability will necessitate a request for assistance from other area law enforcement agencies, and it can be expected that most responses to such requests will cause overtime assignments for the officers of the responding agencies.

Since the police agency on the campus as well as the ones in the city, county, and state operate on fixed annual budgets, all overtime work represents deficit spending. There has been increased pressure on the police administrators of the area agencies to reduce their levels of assistance to the campus or acquire compensation for overtime costs when performing outside their jurisdiction. Although the problem affects all surrounding police agencies, only one has formally requested reimbursement from the college.

QUESTIONS AND ISSUES:

1. Is this department excluded from campus police emergency plans?
2. Are requests for assistance from this agency limited to a minimum level in hopes that a low expenditure of man hours will cause such a slight problem that there will be no bill?
3. Assuming that this is a state educational institution, should agreement be made to seek state legislation for special appropriations as a source of money?
4. If the educational institution agrees to compensate the outside police department making the demand for compensation, how should it deal with the other outside police agency administrators who have the same internal problem but have not sought reimbursement?
5. What should be the response to a request for assistance to the campus police department from the agency that has made an issue of their budgetary problems?

PRACTICAL PROBLEM NO. 6

CAMPUS EMERGENCY PLANNING

Emergency plans, unless implemented regularly, need updating and examining to insure effectiveness when initiated. The dean of student affairs has been assigned responsibility by the president of the college to direct campus operations during emergencies.

QUESTIONS AND ISSUES:

1. How is a sense of responsibility developed toward emergency planning by members of the academic community that have important roles to play during an emergency?
2. How is a training program developed for personnel that are assigned special duty tasks in an emergency?
3. How can on-campus emergencies that may also involve areas beyond the campus be coped with at a time when important personnel are off campus and unlikely to report for their emergency duty?
4. Is it practical to place faculty and students in key positions in the emergency plan?
5. Should the dean of student affairs be in charge of all campus operations during an emergency?

PRACTICAL PROBLEM NO. 7

STUDENT MISBEHAVIOR OR CRIME?

Campus police were called by the residence hall staff to investigate the theft of sandwiches from a vending machine. The police were told that in three different buildings in a housing complex vending machines had been broken into on several occasions. A student had observed two other students breaking into one machine in one of the residence halls. Using proper procedure the campus police department interviewed the suspects who readily admitted to breaking into the machines. The vending machine company refused to bring criminal charges and requested that the college handle the matter through its regular disciplinary procedures. The machines were removed from the buildings by the company because of the thefts.

QUESTIONS AND ISSUES:

1. Should the college insist that the private company place criminal charges against the students?
2. Can the college through its student conduct regulations hold a student responsible for theft of non-college property?
3. Should the college through its vending contracts delineate responsibility for investigating and prosecuting criminal actions committed against vendors on the campus?
4. Should the campus police department inform the nearest local police department of the case?
5. Would it be proper for the residence hall staff to inform the students living in the building in which the theft took place who the violators were?

prepared by

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